



POLICY ON PERSONAL DATA  
PROTECTION AND PROCESSING  
UNDER THE PERSONAL DATA  
PROTECTION LAW NUMBERED  
6698 (“POLICY”)

## Introduction

Personal Data Protection Law numbered 6698 (“PDPL”) regulates the principals and procedure regarding persons’ protection of fundamental rights and freedoms, and the real persons’ and legal entities’ obligations in relation to the processing of personal data.

In the matter of personal data protection as a Constitutional right ; Ornitorenk Dijital Hizmetler Joint Stock Company, fulfills its duty of care which is managed by this herein Policy; by protecting Data Subjects’ personal data and adopts this approach as a Company Policy.

The legislation in force shall prevail in situation of an existing contradiction between the relevant legislation including PDPL and Ornitorenk Dijital Hizmetler Joint Stock Company Personal Data Protection and Processing Policy.

The identity information of the data controller regard to all of the personal data processing activity within the scope of this policy is stated below.

### Data Controller:

Ornitorenk Dijital Hizmetler Joint Stock Company

### Address:

Esentepe Mah. Talat Paşa Cad. No.5 İç kapı No.1 Şişli/İstanbul İstanbul

## Policy’s Purpose

Orinitorenk Dijital Hizmetler Joint Stock Company (from here on referred to as “ALIVEX” or “Company”) Personal Data Protection and Processing Policy has been drafted with the aim of protecting foremost the right to privacy and along with it the other fundamental rights and freedoms, and envisaging the principals and procedures of the real persons’ and the legal entities’ obligations on the processing of personal data.

The purpose of this herein Policy is to provide introductions on the personal data processing activity within the means of the relevant legislation regarding personal data and the systems adopted to protect the personal data, thus within this scope attaining transparency by informing first the Personal Data Subjects and secondly the persons whose personal data are processed by our company.

## Policy's Scope

This Policy is drafted to inform the real persons of whose personal data are processed by our Company in the capacity of a data controller. This Policy's matter of subject are our Company's Activity Organizer, corporate Activity Organizer's shareholders, directors and employees, potential Activity Organizer, business partner's shareholders, directors and employees, and our employee candidates, our Company's former employers and interns and the persons retired from of our Company, volunteers, visitors, company directors and shareholders, Potential Activity Organizers and other third persons. Further the issues regarding our employees' personal data processing are arranged within the scope of another policy document which is in compliance with the Law.

Herein Policy; is related with all of the Data Subjects' personal data processed within the means of automatic processing or otherwise processing systems which are being part of a filing system. The scope of this herein Policy's application regarding Data Subject groups in the categories stated below can be the whole Policy or part of its provisions.

## Definitions

The definitions used in this herein Policy are stated below:

<b>Explicit Consent</b>	Freely expressed explicit consent based upon notification and given for specified matter of subject
<b>Anonymization</b>	Making the personal data unrelatable in a way that it cannot be matched with a real person whose identity is definite or may be definable even paired with other data sets under any circumstance
<b>Activity Organizer Cooperation Agreement</b>	The contract signed between ALIVEX and Activity Organizer defining the terms and conditions of the cooperation and personal data protection
<b>Personal Data</b>	All of the information related to a definite or identifiable real person
<b>Personal Data Processing</b>	All of the processing operation which is performed upon personal data, whether or not by automatic means, such as collection, recording, storage, conservation, alteration, adaptation, disclosure, transfer, inheritance, making it available, classification, blocking its use
<b>PDP LAW</b>	Personal Data Protection Law numbered 6698
<b>Board of PDPL</b>	Board of Personal Data Protection
<b>PDP Authority</b>	Personal Data Protection Authority
<b>TCL</b>	Turkish Criminal Law numbered 5237

<b>Data Processor</b>	Legal entity or real person processing personal data in the name of the data controller upon the authority given by the data controller itself
<b>Data Subject</b>	Real person referred to as “relevant person” in the PDP Law and whose personal data is being processed
<b>Data Subject’s Filling Form</b>	The filling form that is to be used by the data subjects whose personal data is being processed by ALIVEX when submitting an application relating to their rights specified in the PDP Law Article 11
<b>Data Controller</b>	The real person or legal entity who determines the purpose and the means of personal data processing and responsible for establishing and managing the data registry system
<b>Data Controllers’ Register</b>	The data controllers’ register handled by the Directorate in custody of the Board of Data Protection
<b>Data Inventory</b>	The inventory created and elaborated by ALIVEX regarding the issues of data processing activities of business process; by its identification with the data purposes of data processing, the group of parties whom the personal data is transferred to and the relevant data subject group.

## Personal Data Processing

Our company may process personal data upon the data subjects’ explicit consent or without obtaining the explicit consent under the circumstances specified in PDP Law Articles 5 and 6.

## Conditions for Processing Personal Data

Our Company carries the personal data processing activities accordingly with the data processing conditions envisaged by the PDP Law Article 5. Under the circumstances listed below your personal data may be processed without the requirement of explicit consent within the limits of the legal cause. ALIVEX, collects the data subject’s explicit consent excluding the circumstances listed below.

It is clearly envisaged by law.

If there exist a clear regulation in law related with the personal data processing activity, ALIVEX may carry the personal data processing activity by being limited with the relevant legal regulation.

To be imperative for the protection of vital interest and physical integrity of a person or another when actual impossibility occurs, by that, person is in a state of unable to express his/her explicit consent or its consent is not legally valid in the face of the actual impossibility

To be necessary to process personal data of the contracting parties when the data is directly relevant necessary to sign a contract or for its performance.

To be necessary for our Company to follow its legal liability.

It has been already exposed by the data subject

It is mandatory to process personal data to establish, exercise, or protect rights

It is mandatory to process personal data for our Company's legitimate interest only if the data subject's fundamental rights and freedoms are not interfered with.

One or more than one conditions regarding legal grounds of personal data processing activity may be applied at once.

## **Categorization regarding Data Subjects whose Personal Data are processed by Our Company**

The data subjects of whose personal data are being processed within the scope of this herein Policy are categorized as follows:

<b>User</b>	The real persons who purchase tickets for personal use within the scope of commercial activities carried by the ALIVEX and Activity Organizer
<b>Activity Organizer</b>	The real persons of whose personal data are collected within the scope of commercial activities carried by ALIVEX for the business relations without the condition of a contractual relation
<b>Potential Activity Organizer</b>	The real persons who requested to use or products and services or the persons who are evaluated accordingly with the commercial practice and good faith who may have such a demand
<b>Visitor</b>	The real persons who have entered physical premises owned by ALIVEX for various purposes or the ones visited our website ( <a href="http://www.alivex.com">www.alivex.com</a> ) and application
<b>Employee Candidate</b>	The real persons who applied to ALIVEX in any means for employment or the ones submitted their CV or relevant information for our company's inquiry

<b>Volunteers</b>	The real persons who have shared CVs and relevant information of the students that provide voluntary support for the Company's purposes and activities with our Company
<b>Company Director</b>	Our Company's board of directors' member and other real person directors
<b>Activity Organizer and its Employees, Shareholders, Directors in Cooperation</b>	The real persons including the employees, shareholders, directors of the institutions (including but not limited to business partners, suppliers, transporters) that ALIVEX has all kinds of business relations with
<b>Third Persons</b>	The third party real persons (I.e. guarantor, federations involved in sports, insurance agencies, measuring firms, accompanying person, family members and acquaintances, former employers) relevant with the aforementioned parties above for our Company to attain commercial process security or to protect the rights of these persons and obtain benefit, or other real persons who do not fall within the scope of this Policy and ALIVEX Protection and Processing of Employers' Personal Data Policy.

## Categories of Personal Data Processed by our Company

<b>Personal Data Category</b>	<b>Definition</b>	<b>The Personal Data's Related Category of Data Subject</b>
<b>Data of Auditing and Inspection</b>	The personal information that are processed within the scope of the Company's legal obligations and compatibility with the (Internal auditing and legal compatibility reports and relevant records) company policies	User, Activity Organizer
<b>ID Information</b>	The documents likewise driver's license, identity card, and passport which contain the information like the name-surname, Turkish ID number, tax ID number, nationality,	Activity Organizer, User,

	mother's and father's name, place of birth, date of birth, sex, and the information of signature/paraph, vehicle license plate etc.	Employees, Volunteers
<b>Health Report</b>	It is a document that contains persons' health information like blood type, consumption of cigarette and alcohol, impairment/interdiction, health status	Activity Organizer, User
<b>Photograph</b>	Person's biometric photo to be taken with an online camera	Activity Organizer, User
<b>Contact Information</b>	Phone number, address, e-mail, fax number etc. information	Activity Organizer, User
<b>Emergency Contact Information</b>	The phone number, address, e-mail, fax number , etc. information of the person whom is requested to be contacted with in case of an emergency	Activity Organizer, User
<b>Personnel Information</b>	All of the personal data that is to be processed with the aim of obtaining the fundamental data regarding the formation of employee personnel rights of the personnel or the real persons in a business relation with the Company. (identity information, employment application form, passport photo, background information on education, etc. information that is to be added to the Personnel file)	Employees, Volunteers, User
<b>Personnel Procedure Data</b>	The personal data regarding information about all of the transactions related with the work carried out by the personnel or the real persons in business relation with the Company (business trips, vehicle driving information etc.)	Employees, Volunteers
<b>Visual/Auditory Data</b>	The processing of the personal data within the scope of taken pictures and video recordings of the persons after the seminars, trainings and care services conducted by our Company.	Activity Organizer, User, Potential Activity Organizer, Employees, Volunteers

## Attaining Personal Data Security and Confidentiality

Our Company takes all of the required technical and administrative precautions regard to the personal data it processes accordingly with the PDP Law Article 12, in

order to attain the level of security for preventing the personal data's unlawful processing and access, to provide the level of security for personal data's retention.

Our Company shall notify the Board and the related data subjects within the slightest amount of time in case the processed personal data are unlawfully accessed and obtained by the others.

## **Personal Data's Processing Purpose and Storage Duration**

### **The Purpose of Processing Personal Data**

The activity of personal data processing can be carried out within the scope of the personal data processing conditions envisaged by the PDP Law Article 5 and 6 by ALIVEX for the purposes stated below:

- Planning and execution of the activities regarding corporate sustainability
- Management of the activities and seminars
- Management of the relations with the business partners and Activity Organizer
- Conducting ALIVEX's personnel employment processes
- The execution and follow-up of the ALIVEX'S financial reporting and risk management procedures
- The execution and follow-up of the ALIVEX's legal affairs
- Planning and execution of the corporate communication activities
- Execution of the corporate management activities
- Carrying-out Corporate Law procedures
- Conducting service request procedures via the web site
- Enhancing the services provided via the web site, developing new fields of services, and making notifications upon these developments
- For the performance of the signed Contract between the Activity Organizer and for the Activity Organizers who approved commercial e-mail communication; analyzing the preferences, likes and needs of the Activity Organizer and providing special promotions, opportunities and benefits to the Activity Organizer
- Within the scope of the contract between the Activity Organizer who approved commercial e-mail communication; conducting promotions and marketing for the services and products according to the Activity Organizer's preferences and likes by carrying out direct/digital marketing, re-marketing, targeting, profiling, analyses.
- Solving problems and complaints of Activity Organizer, User or Visitor
- Getting in touch with the Activity Organizer, User or Visitor depending on their approval of commercial e-mail communication
- Building satisfaction, loyalty and affinity regard to the Activity Organizer, User or Visitor
- Conducting corporate reputation management, media relations, promotion and advertisement of the Company
- Determination and execution of the ALIVEX's commercial and business strategies
- Following-up procedures of accounting and purchase
- Legal procedures and legislation compliance
- Responding to information requests of administrative and legal bodies



- Planning of the internal reporting and business development activities
- Attaining data and processing security and prevention of mal purposes of usage
- Planning and execution of operational activities necessary for carrying ALIVEX's activities in compliance with the ALIVEX's existing procedures and its policies drafted within the scope of PDP Law
- Generating regulations necessary for processed data to be up to date and accurate
- Preparing User and Visitor records and their follow-up.

If the aforementioned processing activities do not meet the requirements envisaged within the scope of PDP Law, the data subject's explicit consent is obtained regarding the relevant data processing operation, by the ALIVEX.

### Personal Data's Storage Duration

Our Company identifies whether if a time limit is envisaged regarding the storage of personal data by the relevant legislation. It abides to any given time span given by the relevant legislation; if no time span is regulated, then, it stores the personal data within the time period that is necessary the purpose of the processing.

If the purpose of processing is ended or the time limit determined by our Company and/or relevant legislation has been exceeded; the personal data shall only be stored for the purposes of its evidence value against potential legal disputes, exercising a right embedded in the personal data or pleading within the duration of the time limit envisaged by law. The personal data are not stored for its potential future use by our Company.

Records of membership and previous orders	2 years	Law numbered 6098
All the records of accounting and financial processes and procedures	2 years	Law numbered 6102, Law numbered 213
Records of commercial e-mail approvals	2 years after the approval's retrieval	Law numbered 6563 and the relevant secondary legislation
Data obtained via employment applications and/or CVs	12 months	
Personal data of the Activity Organizer	2 years after the legal relationship is ended; 2 year limit is determined by the Law numbered 6563 and secondary legislation	Law numbered 6563, Law numbered 6102, Law numbered 6698, Law numbered 213, Law numbered 6502

### **Personal Data's Erasure, Destruction and Anonymization**

Your retained data within the scope of the Law; shall be kept retained for the time limit that is envisaged by the relevant legislation or the maximum time necessary to realize their purpose of processing and at the discretion of legal prescription. Even though, the personal data is processed in accordance with the provisions of law as prescribed by Turkish Criminal Law Article 138 and PDP Law Article 7, they shall be erased, destroyed or anonymized on its own motion or upon your request under the conditions envisaged by the Regulation on Personal Data's Erasure, Destruction or Anonymization which is published on the official Gazette dated 28.10.2017 and numbered 30224 if ever the grounds for processing are disappeared.

### **The Third Parties whom the Personal Data are Transferred to and the Purpose of the Transfer**

The principals and procedures regarding personal data transfer are envisaged by the PDP Law Articles 8 and 9, and the data subject's personal data may be transferred to the domestic or foreign third parties. In order to procure services, your personal data shall be processed by ALIVEX according but not limited to the Law, other legislation and other regulation related with the law, inspection and regulatory bodies' and boards' regulations and including the mandatory situations determined by the public authorities, and may be shared with the persons ALIVEX receives services from, in-network providers, legal team for the solution of legal disputes, real persons and entities who we are in attorneyship relation with, business partners, Activity Organizers. Nevertheless, under any circumstance, the personal data must not be transferred in the absence of data subject's explicit consent without prejudice to the exemptions.

### **Personal Data's Domestic Transfer**

It is feasible to transfer personal data domestically in compliance with the PDP Law Article 8 if one of the conditions in this herein Policy's chapter 6 titled "The Conditions of Personal Data Processing" is met.

### **Personal Data's Transfer Abroad**

Your personal data are transferred abroad in compliance with the PDP Law Article 9, and ALIVEX engages with the collected personal data within the scope of the Policy, limited and proportionate with the legislation, good faith principle, and purpose of service. The collected data are anonymized and stored within the Company, yet in addition, a service is received from a third party cloud provider for data to be stored in anonymized format.

The detailed information regarding the methods of which the personal data shared with the cloud provider are stored can be reached from the links below;

<https://www.microsoft.com/en-us/trustcenter/privacy/where-your-data-is-located>,  
<https://aws.amazon.com/tr/compliance/data-privacy-faq/>,  
<https://policies.google.com/privacy>.

### Person Categories to whom the Personal Data is Transferred to by our Company

Our Company may transfer the data subjects' personal data that are within the scope of this herein Policy, to the domestic or abroad person groups for the indicated purposes stated below in accordance with the PDP Law Article 8 and 9:

PERSON GROUPS	DEFINITIONS	PURPOSE OF TRANSFER
<b>Business Partner</b>	It defines the parties of which ALIVEX has formed business partnership with, for the purposes of carrying out programs such as sales, promotion and marketing, post-sales support, joint Activity Organizer's loyalty in respect of the products and services in compliance with its directions and instructions when conducting its commercial activities	Limited with the purposes of fulfilling the business partnership's formation objectives.
<b>Activity Organizer</b>	The organizer from you purchase tickets via the ALIVEX's website(see also Activity Organizer Cooperation Agreement) who arranges the activity	Limited with the purposes of fulfilling the business partnership's formation objectives.
<b>Legally Authorized Public Agencies and Organizations</b>	The public agencies and organizations that are authorized to retrieve our Company's data and documents in compliance with the provisions of the relevant law	Limited with the relevant public agencies' and organizations' purpose of request within the scope of their legal authority
<b>Legally Authorized Real Persons</b>	The real persons and organizations that are authorized to retrieve our Company's data and documents in compliance with the provisions of the relevant law	Limited with the relevant real persons' purpose of request within the scope of their legal authority

## **Our Company's Obligation to Inform**

ALIVEX, in compliance with the PDP Law Article 10, informs the data subjects at the moment of the data processing activity taking place. Thus, within this context, the data subjects are informed on the issues regarding, identity of our Company, purposes of personal data processing, to whom the processed personal data may be transferred to and the purposes of these transfers, methods and legal grounds of processing and data subject's existing rights within the scope of the PDP Law Article 11. ALIVEX, in compliance with the PDP Law Article 11, conducts the necessary briefing when the personal data subjects request to be informed.

In addition to this, ALIVEX do not have the informing liability according to PDP Law Article 28 in respect to the circumstances listed below:

- a. Processing the personal data is necessary for the prevention of a crime or crime investigation,
- b. Processing the personal data already exposed by its data subject owner,
- c. Processing personal data is based on the authority vested by the law when it is necessary for performing auditing and regulation duties and conducting disciplinary investigation and proceedings by the authorized public bodies and professional organizations with public body status.
- d. Processing personal data for safeguarding government's economic and financial interests regarding budget, tax, monetary issues.

## **Data Subjects' Rights and their Exercise**

The evaluation of the data subjects' rights and the fulfilment of the informing duty are conducted in compliance with the PDP Law Article 13 via this herein Policy and also the ALIVEX Data Subject's Filling Form. Within the scope of the relevant form, data subjects may forward to us, their requests related with the processing activity of their personal data.

## **Right to Apply**

According to the PDP Law Article 11, all of the persons whose personal data are being processed, may apply to our Company and make requests related to themselves in respect of the issues listed below:

- a. To learn whether if their personal data are being processed,
- b. Ask for the details related with their personal data if they are processed,
- c. To learn about their personal data's processing purpose and whether the processed data are engaged accordingly with that purpose
- d. To learn the domestic or abroad third persons to whom their personal data are being transferred,
- e. To request rectification of their personal data in case they are processed uncomplete or inaccurately, and to request for third parties the personal data are transferred, to be informed on the relevant rectification process.
- f. To request erasure, destruction, anonymization in case the grounds for personal data processing are disappeared, and the third parties the personal data are transferred, to be informed on the relevant processes.

- g. To object in the face of negative consequences against the data subject stemming from the personal data to be analyzed by the wholly automated systems.
- h. To request damages suffered from unlawful personal data processing, to be compensated

Data subjects cannot exercise their rights under the circumstances envisaged by the PDP Law Article 28 paragraph:

- a. Processing the personal data is necessary for the prevention of a crime or crime investigation,
- b. Processing the personal data already exposed by its data subject owner,
- c. Processing personal data is based on the authority vested by the law when it is necessary for performing auditing and regulation duties and conducting disciplinary investigation and proceedings by the authorized public bodies and professional organizations with public body status.
- d. Processing personal data for safeguarding government's economic and financial interests regarding budget, tax, monetary issues.

### **Response Procedure**

Our Company shall conclude the data subjects' application request within the shortest amount of time depending on the application requests' type and latest within 30 (thirty) days free of charge, in compliance with the PDP Law Article 13.

Data subject's application may be declined in respect to the circumstances listed below:

- a. It interferes with the other persons rights and freedoms
- b. It requires unproportionate amount of effort
- c. It is regarding a publicly available information
- d. It risks others privacy
- e. When there is a circumstance outside the scope of the PDP Law

## **Processing Activities within the Company and via the Website**

### **Processing the Employee Candidates' Personal Data**

The employee candidates collected personal data during the process of recruitment and the sensitive data which are obtained in respect of the job characteristics are processed for the execution of the activities determined by the human resources policy, recruitment, for the purposes determined by this herein Policy and additionally for the purposes listed below:

- To evaluate the candidates' qualifications, experience and interest considering whether if they are apt for the job,
- To verify the information presented by the candidate or to get in touch with the third parties to conduct research about the candidate when necessary,

- To get in touch with the candidate regarding with the application and recruitment process, or to get in touch with the candidate regarding an employment position which becomes vacant after a while
- To meet the required conditions determined by the relevant legislation or the authorized body's and organizations' demands
- To improve and enhance the recruitment principles applied by our Company

The employer candidates' personal data shall be obtained via the methods and channels listed below:

- The application form on the Company's website;
- The CV's sent by the applicants via e-mail, mail, reference and likewise methods
- Employment and consulting firms; also, the employee candidates may send their requests related with their rights of being a data subject according to the method described in this Policy's Chapter 12.1.
- Via the channels of video conference, phone, or in interviews in-person, during the interview