



PRESIDENCY OF THE REPUBLIC OF TÜRKİYE
INVESTMENT OFFICE

**PRESIDENCY OF THE REPUBLIC OF TURKEY INVESTMENT OFFICE
PROTECTION AND PROCESSING OF PERSONAL DATA POLICY**

Document Name:

Presidency of the Republic of Turkey Investment Office Protection and Processing of Personal Data Policy

Target Group

All real persons other than the employees of the Presidency of the Republic of Turkey Investment Office, whose data are processed by Presidency of the Republic of Turkey Investment Office

Prepared by:

Presidency of the Republic of Turkey Investment Office, Committee for Personal Data Protection

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[1].[0]

Approved by:

Head of Administrative Services Department

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The Turkish text will prevail in the event of any conflict between the Turkish version of this Policy and any translations.

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INVEST IN TÜRKİYE

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1. CHAPTER 1 – INTRODUCTION

1.1. INTRODUCTION

Personal data protection is among the priorities of the Presidency of the Republic of Turkey Investment Office (“Office”). Within the framework of the Presidency of the Republic of Turkey Investment Office Protection and Processing of Personal Data Policy (“Policy”), the principles adopted by our Office to conduct the personal data processing activities, and the fundamental principles adopted by our Office with regard to compliance with the Constitution of the Republic of Turkey as well as the Personal Data Protection Law No. 6698 (“Law”) are explained, and as a result, our Office informs personal data subjects, and ensures the required transparency. With full awareness of our responsibility in this scope, your personal data are processed and protected under this Policy.

The activities carried out by our Office regarding the personal data protection of our employees are managed under the Presidency of the Republic of Turkey Investment Office Protection and Processing of Employees’ Personal Data Policy in parallel to the principles in this Policy.

1.2. SCOPE

This Policy is associated with all personal data of any individuals other than our Office’s employees, which are processed automatically or manually without being involved in any data recording system. Detailed information on the mentioned personal data subjects may be accessed through the document of this Policy Annex 2 (“Annex 2- Personal Data Subjects”)

1.3. APPLICATION OF THE POLICY AND THE RELATED LEGISLATION

The related legal regulations in effect regarding the personal data protection and processing will primarily be implemented. Our Office acknowledges that the applicable legislation will supersede in the event of any conflicts between the applicable legislation and this Policy. The policy materializes and arranges the rules suggested by the related legislation within the scope of the Office’s practices.

1.4. POLICY’S ENFORCEMENT

This Policy issued by our Office is dated April 15, 2021. In the event that the entire Policy or its certain articles are renewed, the effective date of this Policy will be updated. This Policy is published on our Office’s website (www.invest.gov.tr) and it is offered for the access of the related individuals upon request of the personal data subjects.

SECTION 2 – ISSUES RELATED WITH PERSONAL DATA PROTECTION

2.1. ENSURING SECURITY OF PERSONAL DATA

Our Office takes necessary measures in accordance with Article 12 of the law and according to the nature of the data to be protected, in order to prevent illegal disclosure, access, transfer or other security gaps of the personal data. In this scope, our Office takes administrative measures, performs or assigns others to perform audits in order to ensure the required security level in accordance with the guidelines published by the Personal Data Protection Board (the “Board”).



2.2. PROTECTION OF SENSITIVE PERSONAL DATA

Sensitive personal data hold a special prominence within the Law due to the risk of causing victimization or discrimination of individuals when they are processed illegally. These “sensitive” personal data are related with race, ethnicity, political opinion, philosophical belief, religion, sect or other faith, dress, association, foundation or union membership, health, sexual life, penal conviction and security measures as well as biometric and genetic data.

In this scope, the technical and administrative measures taken by our Office to protect the personal data are carefully implemented for sensitive personal data, and the required controls are provided within our Office.

Further information on the sensitive personal data processing is provided in Section 3.3 of this Policy.

2.3. INCREASING AWARENESS AND CONTROL OF BUSINESS UNITS REGARDING THE PERSONAL DATA THE PROTECTION AND PROCESSING

Our Office ensures that the required training is provided to the business units to prevent illegal processing of personal data, illegal access to the data, and to increase awareness to ensure storage of data.

Our Office establishes the required systems to protect personal data of the existing employees and new hires, and works with consultants on this respect where required. Accordingly, our Office organizes new training events in parallel to any updates in the legislation through participation in the related training events, workshops and debriefing sessions.

SECTION 3 – ISSUES RELATED WITH PERSONAL DATA PROCESSING

3.1. PROCESSING PERSONAL DATA IN ACCORDANCE WITH THE PRINCIPLES FORESEEN IN THE LEGISLATION

3.1.1. Processing in accordance with the Law and the Rules of Integrity

Personal data are processed in accordance with the general trust and integrity rules so that the fundamental rights and freedoms defined in the Constitution of the Republic of Turkey remain intact. In this context, personal data are processed to the extent and being limited with its requirement by the conduct of our Office.

3.1.2. Ensuring the Personal Data is Accurate and Up-to-date where

Our Office takes necessary measures to keep the personal data accurate and up-to-date, and establishes the required mechanisms to ensure accuracy and up-to-datedness of the personal data in certain periods.

3.1.3. Processing with Evident, Explicit and Legitimate Objectives

Our Office clearly stipulates the objectives of processing personal data, and processes them in relation with these activities in accordance with these business practices.

3.1.4. Being Related, Limited and Commensurate with the Purpose of Processing

Our Office collects personal data only in the nature and to extent required by business activities and processes it limited to the specific purposes.



3.1.5. Retention by the End of a Period Foreseen in the Legislation or Only As Long As Required for the Purpose of Processing

Our Office retains personal data only as long as it is necessary for processing, and up to the minimum period foreseen in the related legislation. In this scope, our Office first identifies if a retention period is foreseen in the related legislation, and acts in accordance with any such defined period. Unless there is a legal period, the personal data are retained as long as it is necessary for processing. Personal data are destructed with the defined destruction methods (deletion and/or removal and/or anonymization) at the end of any retention periods or in accordance with the application of the data subject.

3.2. CONDITIONS OF PROCESSING PERSONAL DATA

Other than the individual data subject's explicit consent, the basis of personal data processing may be only one of the following conditions, and multiple conditions may also be the basis for the same personal data processing activity. In the event that the processed data are sensitive personal data, the conditions covered under Sub-item 3.3 ("Processing of Sensitive Personal Data") of this Policy will apply.

(i) Explicit Consent of Data Subject

One of the requirements for processing personal data is the explicit consent of the data subject. Explicit consent of the personal data subject should be voluntary, specific and based on information.

The personal data may be processed without requiring explicit consent of the data subject if any of the following conditions are present.

(ii) If Explicitly Specified by Law

The personal data of the data subject may be processed if the law specifically requires; in other words, if there is a explicit provision in the related law regarding the processing of the personal data.

(iii) Failure to Obtain Explicit Consent of the Subject Due to Genuine Impossibility

Personal data of a data subject may be processed if processing the personal data is essential to protect the subject's or another person's life or physical integrity where the subject is unable to express consent due to a genuine impossibility, or where the subject's consent cannot be validated.

(iv) Direct Relevance to the Establishment or Performance of a Contract

Provided that it is directly related with the establishment or performance of a contract that the data subject is a party to, this requirement may be considered as fulfilled if the processing of personal data is necessary.

(v) Fulfillment of a Legal Responsibility by the Office

Any personal data of a data subject may be processed if the processing is necessary for our Office to fulfill any legal responsibilities.

(vi) Personal Data Subject Makes Their Personal Data Public

If the data subject makes their personal data public, the personal data may be processed, provided that it is being limited with the purpose of making public.

(vii) Unavoidable Processing of Data to Establish or Protect A Right

A data subject's personal data may be processed if the processing is unavoidable for the establishment or protection of a right.

(viii) Necessity to Process Data for Our Office's Legitimate Interests

A data subject's personal data may be processed if it is required for the legitimate interests of our Office as long as the personal data subject's fundamental rights and freedoms are not harmed.



3.3. PROCESSING OF SENSITIVE PERSONAL DATA

Sensitive personal data are processed by our Office in accordance with the principles defined in this Policy, and by taking any required administrative and technical measures also including the methods to be defined by the Office, and under the presence of the following conditions.

(i) Sensitive personal data other than those related with health and sexual life may be processed without requiring explicit consent of the data subject if there is an explicit provision in the related law regarding the processing of the personal data. Otherwise, data subject's explicit consent will be taken.

(ii) Sensitive personal data related with health and sexual life may be processed by the authorized institutions and organizations as well as individuals who have the liability of keeping secret without seeking explicit consent, and only for the purposes of protecting public health, preventing medicine, medical diagnosis, treatment and maintenance services, planning and managing finance with healthcare services. Otherwise, data subject's explicit consent will be taken.

3.4. INFORMING THE PERSONAL DATA SUBJECT

Our Office informs personal data subjects in accordance with Article 10 of the Law and secondary legislation regarding who and for which purpose processes their personal data as the data controller, with whom and for which purposes the data are shared, with which purposes they are collected, and data subjects' rights regarding the processing of their personal data.

3.5. TRANSFERRING PERSONAL DATA

Our Office takes necessary security measures in accordance with the law and the objectives of personal data processing; and may transfer the personal data subject's personal data and sensitive personal data to third parties (to authorized Public Institutions and Organizations, to real third parties). In this respect, our Office acts in accordance with the requirements of Article 8 of the Law. Further information on this subject may be accessed in Annex 4 of the Policy ("Annex 4- Third Parties to whom Our Office Transfers Personal Data").

3.5.1. Transferring Personal Data

Even without explicit consent of the personal data subject, personal data may be transferred to third parties by taking all necessary security measures also including the methods foreseen by the Office, and with maximum required care by our Office, if one or more of the following conditions arise.

- Clear specification of the activities related with the transfer of the personal data in laws
- If the transfer of personal data by the Office is directly relevant and necessary for the establishment and performance of a contract
- If transferring your personal data is required for our Office to fulfill a legal responsibility
- Provided that the personal data are made public by the data subject, the data may be transferred by our Office as long as it is limited with the purpose of making public
- If transferring personal data by the Office are required for the establishment, use or protection of the Office's, the data subject's or any third parties' rights
- Provided that the data subject's fundamental rights and freedoms remain intact, if the Office is required to transfer the personal data for the Office's legitimate interests
- If transferring the personal data is essential to protect the subject's or another person's life or physical integrity where the subject is unable to express consent due to a genuine impossibility, or where the subject's consent cannot be validated.



In addition to the foregoing, the personal data may be transferred to any foreign countries who are declared by the Board to have sufficient protection (“Foreign Country with Sufficient Protection”) in any of the foregoing conditions exist. Unless there is sufficient protection, in accordance with the transfer conditions specified in the legislation, the data may be transferred to the foreign countries where the data controllers in Turkey and in the related foreign country undertake sufficient protection in writing, and where the Board’s permission is given (“Foreign Country with a Data Controller who Promises Sufficient Protection”).

3.5.2. Transferring Sensitive Personal Data

Sensitive personal data may be transferred by our Office in accordance with the principles defined in this Policy, and by taking any required administrative and technical measures also including the methods to be defined by the Office, and under the presence of the following conditions.

(i) Sensitive personal data other than those related with health and sexual life may be processed without requiring explicit consent of the data subject if there is an explicit provision in the related law regarding the processing of the personal data. Otherwise, data subject’s explicit consent will be taken.

(ii) Sensitive personal data related with health and sexual life may be processed by the authorized institutions and organizations as well as individuals who have the liability of keeping secret without seeking explicit consent, and only for the purposes of protecting public health, preventing medicine, medical diagnosis, treatment and maintenance services, planning and managing finance with healthcare services. Otherwise, data subject’s explicit consent will be taken.

In addition to the foregoing, the personal data may be transferred to Foreign Countries with Sufficient Protection under the existence of any of the following conditions. Unless sufficient protection is available, in accordance with the data transfer conditions in the legislation, the data may be transferred to the Foreign Countries with a Data Controller Who Promises Sufficient Protection.

SECTION 4 – CATEGORIZATION AND PURPOSES OF PROCESSING PERSONAL DATA BY OUR COMPANY

Personal data are processed by our Office in accordance with the general principles defined in the law mainly including the principles set out in Article 4 of the Law regarding the processing of personal data based on and being limited with at least one of the personal data processing requirements set out in Articles 5 and 6 of the Law, in accordance with the personal data processing objectives of our Office, by informing the related parties in accordance with Article 10 of the Law and the secondary legislation. In accordance with the purposes and requirements specified in this Policy, , the processed personal data categories and further information on the categories is available in Annex 3 (“Annex 3- Personal Data Categories”) of the Policy.

Detailed information on the purposes of processing the stated personal data are provided in Annex 1 (“Annex 1- Personal Data Processing Objectives”) of the Policy.

SECTION 5 – RETENTION AND DESTRUCTION OF PERSONAL DATA

Our Office retains personal data only as long as it is necessary for the purpose of processing, and up to the minimum period foreseen in the related legislation. In this scope, our Office first identifies if a retention period is foreseen in the related legislation, and acts in accordance with any such defined period. Unless there is a legal period, the personal data are retained as long as it is necessary for the purpose of processing. Personal data are destructed with the defined destruction methods (deletion and/or removal and/or anonymization) at the end of any retention periods or in accordance with the application of the data subject.



SECTION 6 – RIGHTS OF PERSONAL DATA SUBJECTS AND USE OF THESE RIGHTS

6.1. RIGHTS OF THE PERSONAL DATA SUBJECT

Personal data subjects have the following rights:

- (1) to learn whether their personal data are processed or not
- (2) to request information about their processed personal data
- (3) to learn the purpose processing of their data and whether these personal data are used in compliance with the purpose
- (4) to know the third parties to whom their personal data are transferred in country or abroad
- (5) to request correction of personal data if it is incomplete or incorrectly processed, and to request notification of the transaction made within this scope to third parties to whom personal data have been transferred
- (6) to request the deletion or destruction of personal data in the event that the reasons requiring the processing thereof cease to exist, although it has been processed in accordance with the provisions of the law and other relevant laws and, in this context and to solicit notification of the transactions made to third parties to whom personal data are transferred
- (7) to object to the occurrence of a result against the person themselves by analyzing the processed data solely through automated systems
- (8) to claim compensation for the damage arising from the unlawful processing of their personal data

6.2. PERSONAL DATA SUBJECT'S USE OF THEIR RIGHTS

Personal Data Subjects may communicate their requests related with their rights listed in Section 6.1. of personal data subjects ("Personal Data Subject's Rights") to our Office with the methods determined by our Office. Accordingly, they may benefit from the "Presidency of the Republic of Turkey Investment Office Data Subject Application Form" which is available on the following web address.

Presidency of the Republic of Turkey Investment Office Data Subject Application Form

6.3. OUR OFFICE'S RESPONSE TO APPLICATIONS

Our Office takes any required administrative and technical measures to conclude any applications by the personal data subject in accordance with the Law and secondary legislation.

If the personal data subjects communicate their requests related with their rights in section 6.1 ("Rights of Personal Data Subject") to our Office in accordance with the procedure, the request will be concluded in a maximum of thirty days and free of charge depending on the type of the request; however, if the action requires an extra cost, a payment may be claimed according to the tariff to be determined by the Personal Data Protection Board.



ANNEX 1 – Personal Data Processing Objectives

PRIMARY OBJECTIVES	SECONDARY OBJECTIVES
Planning and execution of our Office's human resources policies and processes	Planning human resources processes
	Conducting personnel recruitment processes
Performance of the required activities by our business units to realize the activities carried out by the Office, and conduct of the related business processes	Planning and execution of corporate communication activities
	Planning, control and execution of information security processes
	Planning and execution of corporate management activities
	Planning and execution of supply chain management processes
	Finance and accounting follow up
	Event management
	Planning and execution of business activities
	Planning and execution of business continuity activities
Performance of the required efforts to enable related individuals to benefit from the services provided by the Office, and conduct of the related business processes	Following up the contract processes and legal requests
	Tracking the requests and complaints
	Planning and execution of investor relations management processes
Planning and execution of business strategies of the Office	Management of relations with business associates and suppliers
Ensuring legal, technical and occupational safety of the Office and parties affiliated with the Office	Following up of legal affairs
	Creating and following up visitor records
	Planning and execution of the required operational activities to ensure conduct of Office activities according to Office procedures and the related legislation
	Ensuring accuracy and up-to-datedness of data
	Planning and execution of Office's financial risk processes
	Informing the authorized organizations due to the legislation
	Ensuring safety of Office operations
	Ensuring safety of Office fixed assets and resources
	Ensuring safety of Office campuses and facilities
	Planning and execution of Office audit activities



ANNEX 2 – Personal Data Subjects

PERSONAL DATA SUBJECT CATEGORIES	DESCRIPTION
Potential Product or Service Recipient	Real persons who use or have used the products and services provided by our Office, regardless of whether they are in a contractual relation with our Office
Visitor	Real persons who entered the physical campuses of our Office with various purposes or who visited our websites
Third Person	Third party real persons who are responsible for ensuring the security of the transactions between our Office and the foregoing parties, or who are in a relationship with the said parties to protect and establish the rights and interests of the mentioned persons (e.g. guarantor, family members and relatives) or other real persons who are not covered under the Presidency of the Republic of Turkey Investment Office Employees Personal Data Protection and Processing Policy
Prospective Employee	Real persons who applied by any means for a position in our Office, or who opened their CV and related details for the examination of our Office (including prospective interns)
Employees and Authorities of the Institutions that We Collaborate	Real persons who work at the institutions with which our Office is in any business relation (including but not limited to business partners, dealers, suppliers), real persons including but not limited to shareholders and authorized people of these institutions

ANNEX 3 – Personal Data Categories

PERSONAL DATA CATEGORIES	DESCRIPTION
Identification Details	These are the data with details of the person's identity: Documents which contain information such as name & surname, identity number, nationality, mother's & father's name, place of birth, date of birth, and gender, and information such as VAT number, SSI number, vehicle's license plate etc.
Contact Details	Telephone number, address, e-mail address, fax number
Information of Family Members and Relatives	Information about the family members and relatives of the personal data subject in order to protect the legitimate interests of the person in question or the Office and the data subject in relation with the products and services we offer within the scope of the operations of our Office
Physical Space Security Information	Personal data related with the records and documents taken during entrance, stay in a physical location, which are explicitly stated as belonging to an identified or identifiable real person, and which are included in a data recording system; camera records, finger print records and records taken at a security point etc.
Financial Information	Personal data processed in relation with any information, documents and records which explicitly belong to an identified or identifiable real person, which are processed partially or completely automatically, or manually as a party of a data recording system, and which show any financial results created according to the type of the legal relation between our Office and the personal data subject as well as other information such as bank account number, IBAN number, financial outlook, asset data, income information, etc.
Personnel Information	Any personal data processed to obtain the information which would form the basis for the formation of the personnel rights of the real persons who are in an employment relation with our Office
Professional Experience	Personal data processed in relation with the individuals who are in professional relation with our Office or who have been considered as a prospective employee in accordance with the human resources needs of our Office after applying for employment in our Office, or further to the practices and integrity rules of our Office
Private Personal Data	The data such as an individual's race, ethnicity, political opinion, philosophical belief, religion, sect or other faith, dress, association, foundation or union membership, health, sexual life, penal conviction and security measures related data as well as biometric and genetic data.
Audiovisual Data	Data on the documents, which are copies of the documents that contain personal data, as well as photographs and camera recordings (excluding records covered under Physical Space Security Information), and voice records which explicitly belong to an identified or identifiable real person
Legal Transaction Information	Personal data processed within the scope of the identification and follow up of legal receivables and rights, fulfillment of our obligations and legal liabilities and compliance with our Office's policies
Other – Vehicle Information	Vehicle license, model, etc. information of the individuals who visit the Office, and which are obtained by our Office within the scope of the business activities



ANNEX 4 – Third Parties to Whom Personal Data Are Transferred by Our Office, and the Objectives of the Transfer

Our Office may transfer the personal data processed in accordance with Articles 8 and 9 of the Law to the person categories listed as follows:

- (i) Business Associates
- (ii) Suppliers
- (iii) Legally Authorized Private Entities
- (iv) Legally Authorized Public Institutions and Organizations

The scope of the foregoing individuals to whom the data are transferred, and the objectives of data transfer are as follows.

Recipients of Data Transfer	Description	Purpose of Data Transfer
Business Associate	<ul style="list-style-type: none">• Institutions that our Office has collaborated during the conduct of its activities such as promotion and support of its products and services• Banks• Financial consultant	Being limited with the purpose of fulfilling the objectives the establishment of the business partnership
Supplier	Parties who serve our Office in accordance with the data processing objectives and instructions of our Office under the conduct of the activities of our Office	Being limited with the purpose of providing the services required to carry out the operations of our Office, and which are supplied by our Office from outsources
Legally Authorized Public Institutions and Organizations	Public institutions and organizations authorized to receive information and documents from our Office	Being limited with the purpose requested under the legal power of the related public institutions and organizations
Legally Authorized Private Entities	Institutions or organizations which are established in accordance with the related legislation provisions and in accordance with certain legally-defined conditions, and which continue their activities as provided in the law	Being limited with the subjects covered under the activities conducted by the related private institutions and organizations