

**IMCD TİCARET PAZARLAMA VE DANIŞMANLIK LİMİTED ŞİRKETİ**  
**POLICY ON PROTECTING AND PROCESSING PERSONAL DATA**

Version 2

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## 1. INTRODUCTION

### 1.1. Purpose and Scope of this Policy

The Law No. 6698 on the Protection of Personal Data (the “**Law**”) entered into force on April 7, 2016. This IMCD Ticaret Pazarlama ve Danışmanlık Limited Şirketi Policy on Protecting and Processing Personal Data (this “**Policy**”) aims to ensure compliance of the IMCD Ticaret Pazarlama ve Danışmanlık Limited Şirketi (“**IMCD Turkey**” or the “**Company**”) with the Law and sets forth the principles governing the Company’s obligations as to the protection and processing of personal data.

This Policy sets forth the conditions for processing personal data as well as the main principles that the Company adopted regarding the processing of personal data. Accordingly, this Policy covers all personal data processing activities that the Company conducts under the Law, the subjects of all personal data processed by the Company, and all personal data so processed.

Any and all matters related to the processing of the personal data belonging to the Company’s employees are set forth separately in the Company’s Policy on Protecting and Processing Employees’ Personal Data.

### 1.2. Entry into Force and Changes

The Company publicized this Policy by posting it to its website. In the event of any contradiction between the legislation in force, particularly the Law, and the provisions in this Policy, the provisions of the legislation shall apply.

The Company reserves the right to make amendments to this Policy at any time in order to ensure its compliance with the then applicable laws and regulations. The up-to-date version of this Policy will be available at the Company’s website.

## 2. DATA SUBJECTS, PURPOSES AND CATEGORIES OF PERSONAL DATA PROCESSED BY OUR COMPANY

### 2.1. Data Subjects

For the purposes of this Policy, data subject is any real person whose personal data is processed by the Company, provided that such person is not employed by the Company. Accordingly, data subjects may be generally categorized as follows:

DATA SUBJECT CATEGORY		DETAILS
1	<b>Customer or Supplier</b>	refers to any real person that is a customer purchasing, or a supplier supplying, goods and services to or from the Company, as the case may be.
2	<b>Employee or Supplier’s Employee</b>	refers to any contractual person working directly employed by the Company or through the supplier.
3	<b>Visitor</b>	refers to any real person visiting the Company’s premises.
4	<b>Job Applicant</b>	refers to any real person that makes a job application to the Company by sending a CV or using any other method.
5	<b>Third Parties</b>	refers to any real person other than those falling under the categories given above or the Company’s employees.

These data subject categories are given for informative purposes only. Whether or not a data subject falls under the aforementioned categories does not eliminate the nature of the data subject as specified in the Law.

## 2.2. Purposes of Processing Personal Data

The Company may process your personal data or special categories of personal data for the following purposes, provided that it complies with the conditions for processing personal data as set forth in the Law and the other applicable legislation.

PRIMARY PURPOSES	SECONDARY PURPOSES
<p><b>Allowing our business departments to perform the studies necessary for presenting the Company's products and services to the relevant audience, and conducting the business processes in connection therewith</b></p>	<ol style="list-style-type: none"> <li>1. Developing and implementing processes to manage customer relations;</li> <li>2. Following up customer demands and complaints;</li> <li>3. Planning and implementing the processes for selling services</li> </ol>
<p><b>Allowing our business departments to perform the studies necessary for the Company's business operations, and conducting the business processes in connection therewith</b></p>	<ol style="list-style-type: none"> <li>1. Planning corporate communication activities and implementing such plans;</li> <li>2. Planning business partners' and suppliers' authorizations for accessing information, and implementing such plans;</li> <li>3. Monitoring financing and accounting activities</li> </ol>
<p><b>Planning the Company's Human Resources Policies and Processes, and Implementing the same</b></p>	<ol style="list-style-type: none"> <li>1. Planning human resources processes</li> <li>2. Complying with the contractual or statutory obligations regarding the Company's employees</li> <li>3. Salary management</li> <li>4. Planning the termination of employee's contracts, and implementing such plans</li> <li>5. Managing recruitment processes</li> <li>6. Monitoring and supervising employees' job related activities</li> <li>7. Planning trainings, and implementing such plans</li> <li>8. Planning employee's side rights and benefits, and implementing such plans</li> <li>9. Planning intercompany appointment-promotion and termination processes, and implementing such plans</li> </ol>
<p><b>Planning the Company's Commercial and Business Strategies, and Implementing such Plans</b></p>	<ol style="list-style-type: none"> <li>1. Managing the Company's relations with its business partners and suppliers</li> </ol>
<p><b>Ensuring the legal, technical and commercial-business related security of the Company and those</b></p>	<ol style="list-style-type: none"> <li>1. Ensuring the security of the Company's premises and facilities</li> <li>2. Ensuring the security of the Company's operations</li> </ol>

<b>doing business with the Company</b>	
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### 2.3. Categories of Personal Data

The Company processes your personal data under the following categories, in accordance with the conditions set forth in the Law and the other applicable legislation regarding the processing of personal data:

<b>CATEGORY OF PERSONAL DATA</b>	<b>DETAILS</b>
<b>Identification Information</b>	A person's identify information set forth in their driver's license, identity card, registered residence certificate, passport, lawyer's identity card, marriage certificate or other similar document
<b>Contact Information</b>	Information allowing contact with the data subject, such as telephone number, address or e-mail
<b>Supplier Information</b>	Information received or created regarding a data subject through our Company's business and the operations conducted by the relevant business departments in connection therewith
<b>Supplier Operation Information</b>	Records regarding the use of our services, and customers' instructions and demands for receiving our services
<b>Physical Location Security Information</b>	Personal data included in records and documents, including, but not limited to, surveillance camera footage showing entries to, and exists from, certain physical locations, and taken while present in such physical locations
<b>Transaction Security Information</b>	Your personal data that we process for ensuring our technical, administrative, legal and commercial safety when conducting our business operations
<b>Financial Information</b>	Personal data processed in connection with any information, document or record showing any financial result, as created depending on the type of the legal relationship between our Company and the relevant data subject
<b>Information on Job Applicant</b>	Personal data belonging to any individual applying for a job at our Company, or considered by our Company to be recruited in accordance with the commercial customs and the principles of good faith; or any individual working for our Company
<b>Information on Legal Proceedings and Compliance</b>	Personal data processed for determining our Company's receivables and rights, monitoring and collecting our Company's receivables or performing our obligations; or ensuring compliance with our Company's policies
<b>Information on Audits and Inspections</b>	Personal data processed as a part of our Company's compliance with its statutory obligations and its corporate policies
<b>Special Categories of Personal Data</b>	Data relating to race, ethnic origin, political belief, philosophical belief, religion, sect or other beliefs, appearance, membership of association or union, health, sexual life, criminal records and data regarding

	security measures and biometric and genetic data constitute special categories of personal data.
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### 3. PRINCIPLES AND CONDITIONS GOVERNING THE PROCESSING OF PERSONAL DATA

#### 3.1. Principles Governing the Processing of Personal Data

The Company processes your personal data in accordance with the principles set forth in Article 4 of the Law regarding the processing of personal data. The Company is required to comply with these following principles each time it processes personal data:

- ***Processing of personal data must be in compliance with the applicable law and the principles of good faith.*** The Company will comply with the applicable laws and secondary regulations as well as the general legal principles when processing your personal data. The Company will restrict the processing of personal data with the purpose of such processing, and take into consideration reasonable expectations of data subjects.
- ***Personal data must be accurate and up-to-date.*** The Company will check whether or not your personal data that it processes is up to date, and accordingly allow the relevant data subjects to have their incorrect or outdated data corrected or deleted.
- ***Personal data must be processed for certain, clear and legitimate purposes only.*** The Company determines the purposes of data processing prior to each personal data processing will establish in advance the purpose of processing each personal data, and ensures such purposes' compliance with the law.
- ***Processing of personal data must be relevant, limited and proportional to the purpose of such processing.*** The Company will restrict its data processing activities with the personal data required to achieve the purpose of collecting such data, and take any and all steps necessary for avoiding the processing of any irrelevant personal data.
- ***Personal data must be retained for no longer than required under the applicable legislation or for the purpose of processing such data.*** The Company deletes, destroys or anonymizes personal data once it is no longer necessary to keep such data or upon the expiration of the period prescribed by the applicable legislation.

#### 3.2. Conditions Governing the Processing of Personal Data

The Company processes your personal data only if at least one of the data processing conditions set forth in Article 5 of the Law is met. Detailed information regarding these conditions are as follows:

- ***If data subject gives their explicit consent to the processing,*** then the Company may, even if the other conditions for processing data are not met, process the personal data of such data subject in accordance with the general provisions set forth in Section 3.1 above, provided that the data subject has been sufficiently informed on the processing, and gives their consent to a particular processing. Such consent must be limited to a particular processing.
- ***If there is a clear statutory provision allowing or requiring the processing of personal data,*** the Company may process personal data without the explicit consent of the relevant data subjects. In such event, the Company will strictly comply with such statutory provision when processing personal data.

- ***If it is not physically possible to obtain data subject's explicit consent and processing personal data is necessary***, i.e. data subject is not able to express their consent or data subject's consent is not effective, the Company may process such data subject's personal data, provided that such processing is required to prevent the death or any bodily harm to such data subject or a third party.
- ***If the processing of personal data is required for the execution or performance of an agreement with the relevant data subject***, i.e. the Company and data subject are to enter, or have already entered, into an agreement requiring the processing of such data subject's personal data, the Company may process such data accordingly.
- ***If the Company is required to process personal data for performing any duty imposed on it as a data controller***, the Company may process such personal data in order to perform its legal obligations under the applicable legislation.
- ***If data subject has already publicized their personal data***, such publicly disclosed personal data may be processed by the Company without data subject's explicit consent, provided that such processing will not exceed the limits of the relevant disclosure.
- ***If it is required to process personal data for institution, usage or protection of a right***, the Company may process personal data without the explicit consent of data subject, to the extent of such requirement.
- ***If the Company is required to process personal data for its legitimate interests as a data controller***, the Company may process personal data considering data subjects' interests, without prejudice to data subjects' fundamental rights and freedoms. When processing personal data based on its legitimate interests, the Company must determine which legitimate interest the processing serves to. The Company will further consider any possible impact that the processing of personal data may have on relevant data subjects, and process such information only if the Company believes that such processing does not result in an imbalance between the Company's interests and the relevant data subjects' interests.

### 3.3. Conditions for Processing Special Categories of Personal Data

Article 6 of the Law gives an exhaustive list of special categories of personal data: race, ethnic origin, political belief, philosophical belief, religion, sect or other beliefs, appearance, membership of association or union, health, sexual life, criminal records and data regarding security measures, and biometric and genetic data.

The Company may process special categories of personal data, provided that it ensures the compliance with certain additional measures, as required by the Personal Data Protection Board, in the following cases:

- ***Special categories of personal data other than health and sexual life***, may be processed with data subjects' explicit consent, or if clearly required under the applicable laws;
- ***Personal data regarding health and sexual life*** may be processed by persons under the obligation of secrecy or authorized institutions and organizations, for protecting public health, operation of preventive medicine, medical diagnosis, treatment and care services, planning and management of health services and financing, even without data subjects' explicit consent.

#### 4. TRANSFERRING PERSONAL DATA

The Company may transfer personal data in Turkey or abroad, if the conditions for transferring personal data are met, provided that it complies with Articles 8 and 9 of the Law and the additional regulations issued by the Personal Data Protection Board.

- **Transferring personal data to third parties in Turkey:** The Company may transfer your personal data if at least one of the conditions for processing personal data as set forth in Articles 5 and 6 of the Law and detailed in Section 3 of this Policy is met, complying with the main principles applicable to the processing of personal data.
- **Transferring personal data to third parties abroad:** The Company may transfer your personal data to third parties abroad without your explicit consent, if at least one of the conditions for processing personal data as set forth in Articles 5 and 6 of the Law and detailed in Section 3 of this Policy is met, complying with the main principles applicable to the processing of personal data.

In the event that the foreign country to which the personal data is to be transferred is not included in the secure countries list to be announced by the Personal Data Protection Board, personal data may be transferred to third parties abroad, if at least one of the conditions for processing personal data as set forth in Articles 5 and 6 of the Law (Please see Section 3 of this Policy.) is met, provided that the Company and the data controller in the foreign country concerned undertake in writing to afford sufficient protection.

Subject to the general principles set forth in the Law and the data processing conditions set forth in Articles 8 and 9 thereof, the Company may transfer data to third parties as categorized in the chart below:

CATEGORY OF THE ACQUIRING PARTY	SCOPE	PURPOSE OF TRANSFER
<b>Business Partner</b>	Any party with whom the Company establishes a business partnership for conducting its business	Limited sharing of personal data for achieving the purpose of the business partnership
<b>Supplier</b>	Any service provider that provides services regarding the Company's business, in accordance with the Company's instructions and based on an agreement with the Company	Limited transfer of personal data for outsourcing certain services
<b>Group Company</b>	Company's foreign shareholders	Limited transfer of personal data for human resources processes, financial and/or commercial activities in order to protect commercial and business interests and ensure consistency throughout the group
<b>Legally Authorized Public Authority</b>	Any public authority legally authorized to receive information	Limited sharing of personal data with the relevant public



	and documentation from the Company	authorities in connection with their queries
<b>Legally Authorized Private Entity</b>	Any private entity legally authorized to receive information and documentation from the Company	Limited sharing of personal data with the relevant private entities in connection with their queries based on their statutory authorities

## 5. INFORMING DATA SUBJECTS AND DATA SUBJECTS' RIGHTS

Article 10 of the Law requires the Company to inform data subjects regarding the processing of their personal data in advance, or at the latest at the time of such processing. According to the above referenced provision, the Company, as a data controller, established an internal structure to inform data subjects in each case where their personal data is processed. Within this scope;

- Please see Section 2.2 of the Policy for the purpose of the processing of your personal data.
- Please see Section 4 of the Policy for the parties to whom your personal data is transferred, and the purpose of such transfer.
- Please see Sections 3.2 and 3.3 of the Policy to see the conditions for processing your personal data, which may be collected through various physical or electronic channels.
- Please note that, under Article 11 of the Law, you, as a data subject, entitled to
  - learn whether or not your personal data has been processed;
  - if affirmative, request information on the processing of your personal data;
  - learn the purpose of the processing of your personal data, and whether the Company has used your personal data in accordance with its purpose;
  - know the identity of any third person in Turkey or abroad, to whom your personal data has been transferred;
  - request rectification in case your personal data is processed incompletely or inaccurately, and the notification of such rectification to any third party to whom your personal data has been transferred;
  - request deletion or destruction of your personal data which has been processed in accordance with the Law and the other applicable statutory provisions, once it is no longer required to be processed, and notify such deletion or destruction to any third party to whom your personal data has been transferred;
  - Object to an outcome that might be to your detriment by means of analyzing the processed data only through automatic systems;

request compensation in case of any damage suffered from the unlawful processing of your personal data. You may apply to our Company at [kvkk@imcd.com.tr](mailto:kvkk@imcd.com.tr) to exercise any of your rights listed above. We will respond to your application free of charge and as soon as possible, depending on the nature of your application, and in any event no later than 30 days; however if your application requires our

Company to incur any expense, we may charge you a certain fee to be calculated based on the tariff to be issued by the Personal Data Protection Board.

When considering the applications, our Company primarily checks whether the applicant is actually a data subject. The Company may request detailed or further information to better understand the application, when necessary.

The Company responds in writing or electronically to the applications filed by data subjects. If the Company rejects any application filed by a data subject, it will provide the data subject with the reasons for such rejection.

In cases where personal data is not collected directly from data subject, the Company informs the relevant data subject (1) as soon as reasonably possible after acquiring such personal data; (2) during the first contact, if such personal data is to be used for contacting data subject; or (3) no later than the first transfer of personal data, if and when it is to be transferred.

## **6. DELETING, DESTROYING AND ANONYMIZING PERSONAL DATA**

According to Article 7 of the Law, the Company will delete, destroy or anonymize any personal data either automatically or upon the request of the relevant data subject, in accordance with the guides published by the Authority, if and when such personal data legitimately processed in the past is no longer required to be processed.

## **7. RESTRICTIONS AS TO THE LAW'S SCOPE AND APPLICATION**

The Law does not apply, if

- Personal data of an individual is processed by such individual themselves or by any other family member living in the same residence with the data subject, provided that the processing individual does not disclose such data to any third party and complies with the data protection requirements;
- Personal data is processed for research, planning or statistical purposes after being anonymized;
- Personal data is processed for art, history, literature or scientific purposes or as a part of the freedom of expression, provided that such processing does not violate national security, national safety, public safety, public order, economic safety, right of privacy or personal rights;
- Personal data is processed by a public authority authorized to ensure national security, national safety, public safety, public order or economic safety, as a part of such authority's preventive, protective or intelligence-related activities;
- Personal data is processed by a judicial authorities or execution agencies regarding any investigation, prosecution, adjudication or execution;

The Company is not required to inform the data subjects, who will not be entitled to exercise their rights under the Law, other than those on the indemnification of their damages, if

- Processing of personal data is necessary for prevention of crime or investigation of a crime  
The personal data to be processed has already been revealed to the public by the data subject;

- Any legally authorized public authority or professional organization with public institution status is required to process personal data for performing their supervision or regulatory duties or for disciplinary investigations or prosecutions;
- Processing of personal data is necessary for the protection of economic and financial interests of the state related to budget, tax, and financial matters.