

# POLICY ON RETENTION AND DESTRUCTION OF PERSONAL DATA



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## 1. Introduction

### 1.1. Objective

As Limak Yatırım Enerji Üretim İşletme Hizmetleri ve İnşaat A.Ş. ("**Limak Investment**" or "**Corporation**"), our priority is to retention and duly destruction within due time of the personal data of the real entities including employee, employee candidate, intern, intern candidate, subcontractor employee, subcontractor officer, supplier employee, supplier officer, business associate, person procuring the product or services (customer), visitors, company partner, member of the board of directors, public official, press member and various third parties in accordance with the relevant legislation, particularly the Constitution of the Republic of Turkey, Law on Protection of Personal Data No. 6698 ("**LPPD**") and Regulation on Deletion, Destruction or Anonymization of Personal Data ("**Regulation**") promulgated on the Official Gazette dated 28.10.2017 and No. 6698.

Therefore, the Corporation is required to determine the maximum period required for the purpose of processing of the entire personal data acquired during the business processes executed as acting with the capacity of the data supervisor and the period and processes for the destruction of the personal data and perform such processes in accordance with this Personal Data Retention and Destruction Policy ("**Policy**").

This Policy aims is to ensure that all sorts of technical and administrative measures are taken in the process of retention and destruction of personal data for the purpose of ensuring the performance and execution of the retention and destruction of this data in accordance with the law. As Limak Investment, we have been attaching an emphasize and importance to the privacy within the processes of retention and destruction of the personal data and observing the data security at the optimal level.

This Policy includes explanations about the methods applied by us regarding the retention and destruction of personal data acquired during our activities and operations. The explanations within the scope of this Policy are integral and complementing part of the Limak Investment Policy on Protection and Processing of Personal Data and therefore, are required to be considered and implemented in accordance with this.

### 1.2. Scope

This Policy covers the entire personal data of the real entities including employee, employee candidate, intern, intern candidate, subcontractor employee, subcontractor officer, supplier employee, supplier officer, business associate, person procuring the product or services (customer), visitors, company partner, member of the board of directors, public official, press member and various third parties processed by Limak Investment.

The Policy is related to the retention and destruction of this personal data processed by the Corporation stored in the entire electronic and printed media, and managed and drawn up in accordance with the LPPD and other regulations regarding the personal data and international regulations and guidelines in this area.

### 1.3. Abbreviations and Definitions

Concept	Definition
<b>Electronic Environment</b>	Refers to the media on where the personal data can be created, read, altered, amended and changed, and written by means of electronic devices.
<b>Destruction</b>	Refers to the process of deletion, destruction or anonymization of the personal data.
<b>Related Person</b>	Refers to the real entity with the personal data processed.
<b>Related User</b>	Refers to the person, except for the person or department responsible for the technical retention, protection and backup of the data, processing personal data within the organization of the data supervisor or in accordance with the authorization and instruction granted by the data supervisor.
<b>Blanking</b>	Refers to the processes such as striking out, blurring, coloring of the entire personal data to a state that cannot be associated with identified or identifiable real entity.
<b>Personal Data</b>	Refers to all sorts of information belonging to an identified or identifiable real entity.
<b>Board</b>	Refers to the Personal Data Protection Board.
<b>Policy</b>	Refers to the Personal Data Retention and Destruction of Personal Data which the data supervisors based on for the process of determination of the maximum process required for the purpose of processing of personal data as well as the process of deletion, destruction and anonymization of the personal data.
<b>Anonymization of Personal Data</b>	Refers to rendering of the personal data to a state that cannot be associated with an identified or identifiable real entity in no means even though personal data is paired with other data.
<b>Deletion of Personal Data</b>	Refers to the process to render the personal data processed by automated means entirely or partially to a state of being inaccessible and reused by the related users.

<b>Personal Data Destruction</b>	Refers to the process of rendering personal data inaccessible, retrieved and reusable by anybody.
<b>LPPD</b>	Law on Protection of Personal Data No. 6698.
<b>Periodical Destruction</b>	Refers to deletion, destruction or anonymization to be performed on its own motion in the repetitive intervals stipulated, in case the personal data processing requirements of the personal data contemplated in LPPD no longer exist.
<b>Data Processor</b>	Refers to the real or legal entity processing personal data on behalf of the data supervisor based on the authorization granted by the data supervisor.
<b>Data Supervisor</b>	Refers to the real or legal entity determining the objectives and instruments of personal data processing and responsible for the installation and management of data recording system.
<b>Regulation</b>	Regulation on the Deletion, Destruction or Anonymization of the Personal Data inured upon the promulgation on the Official Gazette dated 28.10.2017 and No 30224.

**2. Distribution and Allocation of Responsibilities and Duties**

The contact person of the Corporation ensures the fulfillment of the following duties and responsibilities regarding the retention and destruction of personal data in coordination with the personal data protection committee ("Personal Data Protection Committee") established within the Corporation and/or Limak Holding A.Ş. The corporate management and/or Personal Data Protection Committee deliver decision regarding the assignment of these duties to the relevant departments and units.

<b>Duty</b>
In charge of drawing up, development, updating and releasing of this Policy.
Responsible for periodical reviewing of this Policy.
Responsible for the approval of this Policy.

Responsible for complying with this Policy and providing the required assistance in the drawing up and development process of the policy and in the entire activities and operations related to the retention and destruction of personal data.

**3. Recording Medias**

Electronic Medias	Physical Medias
<ul style="list-style-type: none"> <li>● Information Security Devices</li> <li>● Removable Memories</li> <li>● E-mail</li> <li>● Personal Computers / User Computers</li> <li>● Common Area</li> <li>● Servers</li> <li>● Databases</li> <li>● Software</li> <li>● Backup Systems</li> </ul>	<ul style="list-style-type: none"> <li>● Folders</li> <li>● Files</li> <li>● Archive rooms</li> </ul>

**4. Explanations for Retention and Destruction Processes**

The entire personal data of the real entities including employee, employee candidate, intern, intern candidate, subcontractor employee, subcontractor officer, supplier employee, supplier officer, business associate, person procuring the product or services (customer), visitors, company partner, member of the board of directors, public official, press member and various third parties is required to be retained and destroyed by Limak Investment in accordance with the LPPD. Explanations related to the retention and destruction within this scope are presented hereinbelow in the order of precedence.

**4.1. Explanations Related to Retention**

Numerous regulations in the legislation entail retention of the personal data for a certain period of time. Therefore, the personal data processed by us is retained for the period stipulated in the relevant legislation or, if such a period is not stipulated in the legislation, for the period required for the purposes of processing personal data.

In cases where the personal data is processed by us for more than one purpose, the data shall be deleted, destroyed or retained upon anonymization in case the entire purposes of data processing shall no longer exist or upon the request of the related person and in case it is not prevented by any provision of the relevant legislation.

#### **4.1.1. Legal Reasons Requiring Retention**

The personal data processed within the framework of the activities and operations within Limak Investment shall be retained for the period stipulated in the relevant legislation. In this context, the personal data shall be retained for the periods of retention stipulated particularly the laws stated hereinbelow and within the framework of secondary regulations;

- Law on Protection of Personal Data No. 6698
- Turkish Code of Obligations No. 6098
- Turkish Code of Commerce No. 6102
- Turkish Penal Code No. 5237
- Private Security Law No. 5188
- Income Tax Law No. 193
- Legal Practitioners Act No. 1136
- Occupational Health and Safety Law No. 6331
- Tax Procedure Law No. 213
- Social Securities and General Health Insurance Law No. 5510
- The Law on the Regulation of Publications on the Internet and Combating Crimes Committed by Means of Such Publication No. 5651.

#### **4.1.2. Processing Purposes Requiring Retention**

The Corporation retains the personal data processed within the framework of its activities and operations for the following purposes:

- Executing Emergency Management Processes
- Executing Information Security Processes
- Executing Employee Candidate / Intern Candidate Selection and Placement Processes
- Executing Employee Candidate Application Processes
- Executing Customer Satisfaction and Loyalty Processes
- Fulfilling Employment Contractual and Regulatory Obligations for Employees
- Executing Vested Benefits and Interest Processes for Employees
- Executing Auditing / Ethical Activities
- Executing Training Activities
- Regulating Access Authorizations
- Executing Regulatory Compliance Processes
- Executing Finance and Accounting Processes
- Ensuring Physical Premises Security
- Executing and Following Up Legal Processes
- Executing Internal Audit / Investigation / Surveillance Processes
- Planning of Human Resources Processes
- Executing / Auditing Business Processes
- Executing Logistic Processes
- Executing Post-Sales Support Services of Goods / Services
- Executing Goods / Services Sales Processes
- Executing Customer Relations Management Processes
- Organization and Event Management
- Executing Promotion and Corporate Communication Processes
- Executing Risk Management Processes
- Executing Contractual Processes

- Executing Sponsorship Processes
- Following-Up Claims / Complaints
- Ensuring Security of Movable Properties and Resources
- Executing Supply Chain Management Processes
- Executing Goods / Services Marketing Processes
- Executing Investment Processes
- Providing Information to Authorized Person, Organization and Institutions
- Executing Management Processes

#### **4.2. Explanations Related to Destruction**

The Personal Data, in case of the following circumstances;

- The amendment or abolition of the relevant legislation provisions constituting the basis of processing thereof,
- Purpose of processing or retention no longer exist,
- Withdrawal of the explicit consent by the related person in the event of personal data processing solely pursuant to the explicit consent requirement,
- Acceptance of the application filed by the related person by the Corporation for the deletion and destruction of personal data within the framework of the rights of the person concerned in accordance with the Article 11 of the LPPD,
- Refusal of the application filed by the related person by the Corporation for the deletion and destruction of personal data, unsatisfactory response or failure to respond in time stipulated in LPPD, in case of filing complaint before the Board and acceptance of this request by the Board and
- Expiry of the maximum period required for the retention of the personal data and absence of any other requirement or condition to justify the retention of the personal data for longer periods

Upon the request of the Related Person or on its own motion, shall be deleted, destroyed or anonymized accordingly.

#### **5. Technical and Administrative Measures**

The technical and administrative measures shall be taken by the Corporation for the secure retention of the personal data, prevention or unlawful processing and access and lawful destruction of the personal data within the precautions determined and announced by the Board for the personal data of special nature in accordance with the Article 12 and subparagraph 4 of Article 6 of LPPD.

##### **5.1. Technical Measures**

In relation to the personal data processed, Limak Investment shall perform the following provisions;

- Network security and application security is ensured,
- Closed system network is used for personal data transfer processes through the network,
- Security measures are taken within the scope of procurement, development and maintenance of information technology systems,
- Security of personal data stored in the cloud is ensured,
- Access logs are maintained on a regular basis,
- Actual and updated anti-virus systems are utilized and in place,
- Firewalls are utilized,

- Personal data security is monitored,
- The principal of data minimization in proportion to the purpose of processing of personal data is adopted,
- Personal data is backed up and the security of the backed up personal data is ensured,
- User account management and authorization control system is applied and in place and the follow-up thereof is further performed,
- Log entries are maintained to prevent user intervention,
- Intrusion detection and prevention systems are applied and in place,
- Penetration tests,
- Cyber security measures are taken and their implementation is constantly monitored and
- Encryption is performed.

## **5.2. Administrative Measures**

In relation to the personal data processed, Limak Investment shall perform the following provisions;

- Training and awareness activities on the security of data are performed for employees on a periodical basis,
- Establishing an authorization matrix for employees,
- Corporate policies with respect to access, information security, use, storage and disposal are implemented and in place,
- Non-Disclosure Agreements and Covenant Letters are concluded,
- The relevant authorizations of the employees exposed to duty change or employment termination are removed accordingly,
- Personal data security policies and procedures are determined,
- Personal data security issues are reported expediently,
- The required security measures related to entry-exits to and from the physical environments containing personal data are taken,
- Security of the physical environments containing personal data against the external risks (fire, flood, etc.) is ensured,
- The security of environments containing personal data is ensured,
- Periodical and/or random in-house audits are performed and having performed,
- Current risks and threats are identified and
- Awareness of data processing service providers is ensured.

## **6. Techniques of Destruction of Personal Data**

The personal data, at the end of the retention period required for the period stipulated in the relevant legislation or for the purpose for which they are processed, shall be destroyed by the Corporation, either ex officio or upon the application of the related person, again in accordance with the provisions of the relevant legislation.

### **6.1. Deletion of Personal Data**

The techniques to be utilized by Limak Investment for the purpose of performance of the deletion process of the personal data are stated hereinbelow:



Data Recording Medium	Description
Personal data on physical mediums	Personal data on physical mediums shall be deleted by means of retaining on a secure media to be inaccessible by the related users under no means whatsoever.
Personal data on databases	The access of the related user is denied to personal data in the database by assigning roles and authorizations.
Personal data on central servers	The access authorizations and rights of the related user on the directory hosting the file containing the personal data are removed.
Personal data on portable devices (such as USB, Hard disk, CD, DVD, etc.)	Files hosting the personal data are stored encrypted and the access of the related user to the file is denied.

**6.2. Personal Data Destruction**

The techniques to be utilized by Limak Investment for the purpose of performance of the destruction process of the personal data are stated hereinbelow:

Data Recording Medium	Description
Personal data on physical mediums	Personal data on the physical environment is destroyed by grinding by means of a paper shredder or burning.
Personal data on databases	The relevant rows hosting the personal data are destroyed by means of database commands (such as Delete, etc.)
Personal data on clouds	Personal data on cloud is encrypted buy applying cryptographic methods during retention and use, and personal data on these media is destroyed by destroying the encryption keys used.
Personal data on peripheral (network devices, flash-based media, optical systems, etc.) and local systems	Devices hosting the personal data are destroyed by physical processes such as burning, breaking into small pieces, melting down. In addition to the above-cited methods, as a result of random data entry on existing data with special software, the recovery of old data is prevented and the destruction process is applied accordingly.

### 6.3. Anonymization of Personal Data

Anonymization of personal data is to render the personal data to a state that cannot be associated with an identified or identifiable real entity in no means even though personal data is paired with other data.

In order for the personal data to be anonymized, the personal data is required to be rendered to a state that cannot be associated with an identified or identifiable real entity by data supervisor or third parties by means of using appropriate techniques in terms of relevant area of activity and recording media such as reversing and/or pairing the data with other data.

### 7. Retention and Destruction Periods

Deletion, destruction or anonymization of the personal data with the retention periods expired shall be performed by the relevant units. Retention periods of the personal data are identified within the periods stipulated by the relevant regulation.

In this context, in case retention of the related data within Limak Investment is evaluated within the scope of legal compliance reasons stipulated related to the personal data and personal data of special nature in Articles 5 and 6 of LPPD, the retention periods related to the relevant personal data shall be determined pursuant to the legal compliance reasons. The destruction process of the personal data shall be executed by Limak Investment in accordance with each relation in line with the retention periods determined by with strict observance of the relevant regulation. Personal data with the retention periods expired shall be deleted, destroyed or anonymized within the periodical destruction periods determined by Limak Investment.

The general principles related to the retention periods of the personal data processed by the Corporation are summarized on the table herienbelow and the evaluation with respect to the relevant documentation and the data category included shall be determined by verifying and confirming with the corporate personal data inventory and the Legal Department.

Process	Retention Period	Destruction Period
Executing the processes of personal files of employees	10 years as of termination of employment	Within the first periodical destruction period upon the expiry of the retention period
Executing processes related to employee candidates	2 years of date of application	Within the first periodical destruction period upon the expiry of the retention period
Executing contractual processes	10 years as of termination or expiry of the agreement	Within the first periodical destruction period upon the expiry of the retention period
Log entry monitoring and follow-up systems	2 years	Within the first periodical destruction period upon the expiry of the retention period

Camera recording and footages	30 days	Within the first periodical destruction period upon the expiry of the retention period
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**8. Periodical Destruction Period**

In accordance with the Article 11 of the Regulation, the periodical destruction period is stipulated as 6 (six) months by Limak Investment.

**9. Release and Retention of the Policy**

The signed copy of the Policy is retained and maintained by the Corporate contact person and the most actual version of the Policy is made available to employees on electronic means through the Corporate intranet.

**10. Updating Frequency**

The Policy shall be updated when required and in case of altered processes.

**11. Enforcement**

This Policy shall be inured upon the approval of the Board of Directors of Limak Investment.