

# THE PERSONAL DATA PROTECTION AND PROCESSING POLICY OF OLT TÛTÛN SANAYİ VE TİCARET ANONİM ŐİRKETİ

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## 1. PURPOSE

Oriental Link Tütün Ticaret Anonim Őirketi (Oriental Link Tobacco Trade Joint Stock Company, "OLT") and all of her employees commit to follow the principles, decisions and rules brought especially by the Turkish Constitution the Law on Personal Data Protection no: 6698 the other related legislation in effect related with the protection of the personal data and to protect the rights of the individuals, the data of whom are processed by OLT. OLT has put this Personal Data Protection and Processing Policy ("the Policy"), written to be applied and improved into effect for this purpose.

The purpose of the policy is to establish the rules in its inner management, to determine the targets and obligations, to establish the control mechanisms according to the reasonable risk level, to fulfill the legal obligations being subjected to in the field of protecting personal data, and to protect the interests of the individual in the best way possible.

## 2. SCOPE

The provisions of the policy covers the employees of the companies providing support service to all departments of OLT, subcontractors and interns, especially the board of directors of OLT. All kinds of actions breaching the Law on Protecting Personal Data no: 6698 and this Policy are assessed in the scope of the related legislation and the sanctions are applied accordingly.

Again, the business partners, suppliers of OLT and all third parties having business with OLT, who have or possibility to access the personal data are invited to read this Policy and follow this Policy.

## 3. DEFINITIONS

Clear consent:	Refers to the consent depending on information and declared with free will related with a certain subject.
Making Anonymous:	Refers that the personal data is made such that it can't be correlated with a real person, the identity of who is known or can be known in any condition, even by matching with other data.
Contact person:	To the real person stated during recording to the Registry by the data officer for the communication to be established with the Organization related with the obligations of the data officer.
Law:	To the Law on Protecting Personal Data no: 6698,
Personal Data:	To all kinds of data related with a real person, the identity of whom is known or can be known.

Personal data inventory:	to the inventory which the data officers create by correlating the personal data processing activities they conduct; the purposes and legal reason for personal data processing, data category, the receiver group to which it is transferred and the person group which is the subject of the data depending on the business processes and which they detail by stating the maximum maintaining term, necessary for the purposes for which the personal data is processed, the personal data anticipated to be send to foreign countries and the precautions taken related with data security.
Processing personal data:	to all kinds of processes performed on the data such as obtaining, storing, maintaining, changing, rearranging, transferring, taking over, making obtainable, classifying, or preventing that the personal data is used through ways which are completely or partially completely automatic or, provided that it is a part of any data recording system, through non-automatic ways.
The Institution:	to the Personal Data Protection Institution,
The Board:	to the Personal Data Protection Board,
PDP Committee:	to the structure, consisting of real person or persons, assigned by the data officer, making the administrative monitoring and coordination of the processes formed in the scope of the law.
PDP Commitment:	to the document with which the legal obligations of the third parties with which the data is shared are determined,
Registry:	to the data officers registry kept by the Institution,
Data processor:	to the real or legal person processing the personal data, depending on the authority granted by the Institution, on her behalf,
Data officer:	to the real or legal person who determines the purposes and means of personal data processing, is responsible for the establishment and management of the data recording system.

#### **4. RESPONSIBILITIES**

OLT has the data officer title according to the law. Everybody who are OLT employees are responsible for improving, inceniting the correct applications in the organization of OLT and the other obligations.

All employees of OLT, processing personal data, has the responsibility of acting according to the legislation on protecting personal data.

OLT is responsible for performing the notifications and trainings necessary for all of her employees know the responsibilities they have and has necessary awareness on the personal data protection area.

OLT employees are obliged to ensure the correctness and currency of all personal data provided by them to OLT or related with them.

#### **4.1. PDP Committee:**

The members of the PDP committee are assigned by the board of directors considering that they regularly take education and have experience on the Law and secondary legislation and applications and report directly to the board of directors. The PDP committee was established as the committee assigned for managing the personal data protection system and ensuring the compatibility with the other related legislation and certifying and is responsible against the board of directors on these topics.

#### **4.2. Duties and responsibilities of the PDP committee:**

- PDP committee should inform the board of directors on the legislation on personal data protection and developments.
- PDP committee is responsible for ensuring that the OLT policies, procedures are updated, data processing audits and trainings are done according to the calendar and these are compatible with the related legislation.
- PDP committee acts together with the related employees in all topics related with the protection of the personal data.
- PDP committee is obliged to ensure that the personal data not clearly necessary for the purpose of processing is not collected and processed.
- PDP committee audits that the data processed is suitable and related over the personal data inventory, which is updated every year.
- PDP committee audits that all data processing methods are suitable and related with the internal audit/external audit she makes/makes that done annually.
- PDP committee is responsible for stopping the data processing activity and destroying the processed data in a secure way according to the procedure that the data maintaining and destruction process is defined with respect to the personal data which she finds out that it is not necessary or related or more than necessary with respect to the purpose of processing.
- PDP committee is obliged to direct the related department for reviewing the correctness or currency of certain data with the evaluation she would do on the type, maintaining time and amount of the data processed over the data inventory.

### **5. APPLICATION PRINCIPLES**

#### **5.1. DATA PROTECTION AND PROCESSING PRINCIPLES**

OLT shall follow the personal data protection legislation and data protection principles. The data protection principles adapted by OLT contain:

- Processing the personal data only if it is clearly necessary with respect to the legitimate corporate purposes,
- Processing data as much as it is necessary for this purpose and not processing data more than necessary (ensuring data minimization),
- Giving clear information to the individuals on the personal data used by whom and in which way,
- Processing only the related and suitable data,
- Processing data according to the justness and law,
- Keeping the inventory of personal data categories processed by OLT,
- Keeping the personal data correct and, when required, updated,
- Keeping the personal data only as long as it is required by the legal regulations, legal obligations of OLT or the legitimate corporate interests,
- Respecting the rights of individuals related with their personal data, including the right to access,

- Keeping all personal data secure,
- Transferring the personal data to abroad only according to the clear consent of the persons or in case that there is adequate protection,
- Applying the exemptions permitted according to the legislation,
- Establishing and applying the personal data protection system for applying the policy,
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- When required, determining the internal and external stakeholders of the personal data protection system and how much they are involved in the personal data protection system of OLT,
- Determining employees having special authority and responsibility related with protection of the personal data.

All personal data processing activities should be done according to the data protection principles below. The policies and procedures of OLT targets to ensure this harmony:

- Being compatible with law and honesty rules,
- Being correct and, when required updated,
- Processing for certain, clear and legitimate purposes,
- Being connected with the purpose of processing, limited and measurable,
- Maintaining until the time anticipated in the related legislation or required for the purpose for which they are processed.

Accordingly, OLT includes the information and confidentiality notifications in the data collection channels and related forms related with the personal data processing activities she conducts. The areas in which the clear and understandable notifications are included and announced related with for which purposes the data, related with whom, is processed by OLT are determined by taking the opinion of PDP committee. The issues below are included in these notifications:

- The identity and communication information, as the data officer of OLT,
- The data types processed,
- The purposes for which the personal data is processed,
- The methods of collecting the personal data,
- With which legal reason the personal data is processed,
- The rights of the data owner,
- The third parties with which the data can be shared.

In the personal data inventory, the processing reasons/targets of personal data are determined and the personal data may not be used outside the target determined without another legal reason or the clear consent of the data owner. In case that the conditions, requiring that a personal data is used outside the targets stated in the personal data inventory, emerge, this situation is notified to the PDP committee by the related employee, unit, or department. PDP committee audits the suitability of the new purpose and, if required, ensures that the data owner is informed on this new data processing activity with new purpose.

Personal data should be processed according to the processing targets, in a related and restricted degree and be updated. The correctness and currency of the data maintained for a long time should be reviewed. OLT is responsible for that all employees are trained on collecting and keeping the data correctly and currently.

Notification should be done to the PDP committee on all data collection channels.

The correctness and currency of the data kept related with the employees is the personal responsibility of the related employee.

Employees/customers/the institutions which are connected and other related persons should inform OLT for updating the personal data.

The personal data should be processed such that the related person can be diagnosed if necessary with respect to the data processing purpose.

In case of maintaining the personal data beyond the determined period, due to the necessities like backing up etc., or data security deficiency, the secure data destruction methods, determined by the Board, are applied on the personal data for preserving rights and freedoms of the individuals.

If it is required that the personal data is processed for a period longer than the periods determined according to the procedure which keeping and destruction processes are defined, the written approval of the PDP committee is taken.

## **5.2. RISK EVALUATION**

OLT determines the risks related with processing of personal data types. If it is possible that a certain type of data processing activity poses a high risk on the personal rights and freedoms according to its structure, context and purposes, OLT should perform an effect analysis before the data processing activity and manage the potential risks. One evaluation may be based on for more than one data processing activities containing similar risks.

If it is understood at the end of the effect analysis that OLT is about to start a data processing activity which may cause high risk on personal rights and freedoms, the approval of DPT committee is asked for this issue. PDP committee, if considers as necessary, takes the related opinion on the topic from the Board.

## **5.3. HAVING CLEAR CONSENT**

OLT accepts the consent, revealing the will related with processing data about him, described with written/verbal declaration or clear corrective action depending on informing and with the free will by the owner of the data as the clear consent related with the certain data processing activities and in cases made necessary the law. The clear consents are taken in written or in a way suitable for proofing systemically. Clear consent can be taken back in any time by the owner of the data.

In case that the data processing activity depending on clear consent would be continuous or repeated, the clear consents taken are checked. The currency and correctness of these clear consents are the responsibility of the related department. Clear consent forms or the other related proofing means related with data processing activities depending on clear consent are kept by the related department.

## **5.4. DATA SECURITY**

All employees are obliged that the data which is processed by OLT and under their responsibility are kept secure and not disclosed to the third party unless a confidentiality contract is signed.

Only the ones who need to access them should access the personal data.

The incidents threatening the security related with the personal data are notified to the Board and related person as soon as possible after it is absolutely determined by the PDP committee and in any case within at most 72 hours after the incident is found out.

## **5.5. DATA SHARING**

Personal data can be shared with third persons only according to the law and justice. Accordingly, one of the conditions below is required for sharing the personal data:

- The clear consent of the data owner is taken,
- It is clearly anticipated by the laws.
- It is necessary to preserve the life or bodily integrity of a person himself who is in a situation where he can't disclose his consent due to de facto impossibility or whose consent is not considered as valid or of another person,
- It is necessary that the personal data belonging to the parties of the contract is processed, provided that it is directly related with the establishment or the execution of a contract, which OLT is or will be a party.
- It is mandatory for fulfilling the legal obligation of OLT,
- It is made public by the related person himself,
- Data processing is necessary for establishing, using or preserving OLT's rights,
- Data processing is necessary for the legitimate interests of OLT, provided that the basic rights and freedoms of the related person is not damaged.

The personal data can be transferred to the abroad provided that the conditions above are met and there is adequate protection in the related country or the consent of the owner of the data is taken on this transfer.

For transferring the personal data to abroad, the list of the countries with adequate protection, determined by the Board, is taken into account.

When transferring personal data to the abroad is in question, the PDP committee ensures the necessary permits and notification before the Board according to the law and related legislation.

All procedures related with personal data sharing should be recorded with the reasons. These records are audited by the PDP committee with regular intervals.

In case that a regular data sharing relation is in question without a legal basis or legal obligation, a PDP letter of commitment is done, determining the conditions of data sharing with the party in question.

## **5.6. MANAGEMENT OF THE RECORDS**

The personal data may not be held more than the time necessary for the processing purposes. The classification of records containing personal data and the keeping time related with them are determined according to the Personal Data Recording, Maintaining and Destroying Procedure.

The personal data, the term of which expires or required to be destroyed upon the righteous request by the owner of the data, is made anonymous or deleted or destroyed according to the procedure which the maintaining and destruction processes are defined.

## 5.7. RIGHTS OF THE DATA OWNERS

The data owners have the rights below related with the data processing activities and records before OLT:

- Knowing whether the personal data is processed or not,
- If the personal data is processed, requesting information on this,
- Knowing the purpose of processing the personal data and whether these are used according to the purpose or not,
- Knowing the third persons to whom the personal data is transferred in or outside the country,
- In case that the personal data was processed wrong or insufficiently, requesting that these are corrected,
- Requesting that the personal data is deleted or destroyed for which there is no lawful reason or basis for processing them according to the Law on PDK or this policy,
- Requesting that the correction or deletion process done by his request is notified to the third persons to which the data is transferred,
- Objecting that a cause detrimental to the person himself emerges by analyzing the processed data especially by means of automatic systems.
- In case that damages are incurred because the personal data was processed on the contrary to the law, requesting that the damages are compensated.

### The application method of the data owner

The data owners may apply their requests related with their rights listed above to the data officer, OLT according to the application methods anticipated in the Communiqué on the Methods and Principles about Applying to the Data Officer.

In this case, OLT shall conclude the request as soon as possible or within at most thirty (30) days depending on the nature of the request for free. However, the procedure requires a separate cost, the fee in the tariff determined by the Personal Data Protection Board may be requested. The processes related with receiving, conveying and concluding the requests are performed according to the procedure on receiving, evaluating and responding to the applications of the data owner.

The access right and contact information of the data owners are included in the notifications and web address for managing the requests of the data owners.

All employee of OLT, regardless of their terms of duty, are obliged to guide the data owners on the correct application method for the data owner access requests directed to them. OLT employees are informed by PDP committee on how to act about the requests coming to them by the data owners.

The applications in this scope can be done:

Personally to the address: Yedi Eylül Mah. Bige Özgener Cad. No:4 Torbalı, İzmir, ensuring tat identity verification is done or to the mail address of [orientallink@hs01.kep.tr](mailto:orientallink@hs01.kep.tr) the KEP address of our Company from the individual KEP address of the applier or via formal method through notary.

## 6. VALIDITY AND KEEPING UPDATED

This policy was put into effect in 01.01.2020 and shall be reviewed by the PDP committee at the beginning of every year according to the Law, the related secondary legislation, board decisions, and work processes of OLT and updated when required.