

LUJO HOTEL'S POLICY ON THE PROTECTION AND PROCESSING OF SPECIAL CATEGORIES OF PERSONAL DATA

1. PURPOSE

The purpose of this policy is to ensure compliance with the obligations within the scope of processing special categories of personal data in addition to the regulations under the "Policy on the Protection and Processing of Personal Data" by Serkoç Otelcilik Turizm İnşaat Taahhüt Ticaret Anonim Şirketi (the Company) in compliance with the Constitution of the Turkish Republic as well as the Turkish Personal Data Protection Law no. 6698 ("the Law"); to establish the controls and measures, operational rules and responsibilities related to the protection and processing of special categories of personal data, and to raise the awareness of personal data subjects and the company's employees in respect thereof.

2. SCOPE

The provisions hereunder will be applicable for customers, employees, family members of the employees, apprentices, clients and shareholders having special categories of personal data processed by the Company fully or partially through automatic means or provided that the process is a part of any data registry system, through non-automatic means.

3. RESPONSIBILITIES

This Policy which forms an annex to the Policy on The Protection and Processing of Personal Data of the Company has come into force upon the approval of the Board of Directors of the Company. Any and all activities to be implemented and measures to be taken by the Company within the framework of the Policy will be established by relevant procedures. The preparation, updating and implementation of said procedures will be the responsibility of the Senior Management of the Company.

All company personnel will be liable to fulfill their duties in compliance with this Policy and all relevant procedures and legislation.

4. DEFINITIONS

Significant definitions used hereunder are listed below.

Explicit Consent	A freely-given, specific and informed consent
Anonymization	Rendering personal data impossible to link with an identified or identifiable natural person, even by matching them with other data,
Data Subject	The natural person, whose personal data is processed
Related User	Persons who process personal data within the data collector's

	organization or in line with the authority and instructions received from the data controller, excluding persons or units who are responsible for the technical storage, protection, and backing up of data
Destruction	Deletion, elimination or anonymization of personal data
Law	Law on Personal Data Protection No 6698
Recording media	Any medium containing personal data processed automatically, completely or in part, or non-automatically, provided it is a part of a data recording system
Personal data	All information related to a real person whose identity is known or could be identified
Processing of personal data	Any kind of transaction performed on the data such as obtaining, saving, storing, protecting, modifying, editing, describing, transferring, receiving, making available, classifying or blocking the use of the data fully or partially through automatic means or provided that the process is a part of any data registry system, through non-automatic means.
Deleting personal data	To delete personal data or to render data no longer accessible or reusable for related users
Destroying personal data	To render personal data inaccessible, unrecoverable and not reusable by anyone
Anonymizing personal data	Rendering personal data impossible to link with an identified or identifiable natural person, even by matching them with other data
Board	Personal Data Protection Board
Board Decision	Decision of the Personal Data Protection Board adopted on 31/01/2018 with no. 2018/10 about the "Adequate Measures to be Taken by Data Controllers for the Processing of Special Categories of Personal Data".

Authority	Personal Data Protection Authority
Special categories of personal data	Biometric and genetic information concerning race; ethnicity; political opinions; philosophical opinions; religion, sect or other beliefs; appearance; subscriptions to associations, foundations or syndicates; health; sex life; convictions; and data concerning security measures
Periodic destruction	The process of erasing, destroying or anonymizing personal data to be performed directly in recurring intervals set out in the Personal Data Storage and Disposal Policy when all the conditions for processing personal data stipulated under the law cease to exist
Registry	Data controllers registry retained by the Presidency of the Personal Data Protection Authority
Data processor	The natural person or legal entity who process personal data on behalf of the Data Controller and with the authority granted by the Data Controller
Data registry system	The registry system which the personal data is registered into through being structured according to certain criteria
Data controller	The natural or legal person who determines the purpose and means of processing personal data and is responsible for establishing and managing the data registry system

5. PROCESSING OF SPECIAL CATEGORIES OF PERSONAL DATA

5.1. GENERAL PRINCIPLES FOR THE PROCESSING OF SPECIAL CATEGORIES OF PERSONAL DATA

The Company processes special categories of personal data in compliance with the principles and rules anticipated in the Law and other legislation and conforms to the principles set out in the **"Policy on The Protection and Processing of Personal Data"** for the processing of personal data.

5.2. CONDITIONS FOR PROCESSING SPECIAL CATEGORIES OF PERSONAL DATA

While processing special categories of personal data, the Company will first establish whether the data processing conditions are fulfilled or not, and proceed with data processing only after making sure that regulatory compliance condition is duly fulfilled. Within this framework and provided that the required measures set out by the Board are taken, the following special categories of personal data may be processed;

a) Special categories of personal data excluding those relating to health and sexual life,

- may be processed upon obtaining the data subject’s explicit content
- or in cases anticipated in relevant legislation.

b) Personal data relating to health and sexual life,

- may be processed upon obtaining the data subject’s explicit content.
- Personal data relating to health and sexual life may only be processed, without seeking explicit consent of the data subject, by any person or authorized public institutions and organizations that have a confidentiality obligation, for the purposes of protection of public health, operation of preventive medicine, medical diagnosis, treatment and care services, planning and management of health-care services as well as their financing.

While collecting special categories of personal data, the Company will inform the related persons about the following subjects through the **“Clarification Text for the Protection and Processing of Personal Data”**:

Company data,

- b) Conditions for processing special categories of personal data
- c) To whom and for what purposes the processed data may be transferred,
- d) The method and legal reason of collection of personal data,
- e) The rights of the related person within the framework of the Law.

The explicit consent of the related person will be obtained after being clearly informed through **Clarification text on the Protection and Processing of Personal Data**, freely, without leaving any room for doubt and regarding only the related process to having his/her data processed by approving the **Explicit Consent Statement for the Processing of Personal Data**.

In cases when the legislation contains a provision about the right to process personal data, the Company will process personal data subject to applicable restrictions by the relevant legal regulations.

Any processed personal data will not be illegally disclosed to third parties and used for purposes other than processing.

Processing rights for special categories of personal data without explicit consent and examples are listed below:

Processing Conditions	Scope	Example
Regulatory Provision	Personal data, excluding those relating to health and sexual life, may be processed without seeking explicit consent of the data subject. Any stricter data processing conditions stipulated in Tax legislation, Labor Law, Turkish Commercial Law etc.	Union commitment data of the employees should be retained in the employee’s personal file according to relevant legislation.
Protection of public	Processing of data by any person or	Medical data processed

health, operation of preventive medicine, medical diagnosis, treatment and care services, planning and management of health-care services as well as their financing	authorized public institutions and organizations that have a confidentiality obligation for the purposes of the protection of public health, operation of preventive medicine, medical diagnosis, treatment and care services, planning and management of health-care services as well as their financing.	by physicians about their patients.
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5.3. DATA SUBJECT GROUPS AND CATEGORIES OF PROCESSED PERSONAL DATA

The data subject groups having their special categories of personal data processed by our Company are as follows:

Data Subject Group	
Employees	Company employees
Apprentices	High school and university students serving their apprenticeship in the Company
Family Members	Family members of the employees
Shareholders	Natural persons who are shareholders
Customers	Natural persons who have purchased/used the goods and services provided by the Company, irrespective of whether there is any contractual relationship or not with the Company

Special categories of personal data processed as regards to the above-listed persons are as follows:

Special categories of personal data	Nationality, religion, criminal records, disability status, medical data, blood type
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5.4. REASON FOR PROCESSING SPECIAL CATEGORIES OF PERSONAL DATA

Personal data collected by the Company will be processed for the following purposes in compliance with the processing conditions set out in Article 6 of the Law:

Main Reasons	Secondary reasons
<p>Carrying out the management and operations of the company in compliance with the company's policies and procedures</p>	<p>Fulfilling our legal obligations in compliance with applicable legislation and exercising our rights arising out of the prevailing legislation</p>
	<p>Establishing and managing processes for the planning and sale of products/services; fulfilling the conditions for products and services and ensuring that any liabilities are met fully and correctly</p>
	<p>Providing accommodation, touring and visa services to customers</p>
	<p>Following contractual processes and/or legal transactions</p>
	<p>Implementing operational processes</p>
	<p>Executing risk management, inspection and control activities</p>
	<p>Issuing all records and documents constituting the basis for operations</p>
	<p>Providing regulatory information to public/private institutions and organizations authorized to obtain information and documentation in compliance with the provisions of relevant legislation</p>
	<p>Providing information to auditing companies in compliance with the Law in order to ensure compliance with legal obligations and company policies</p>
<p>Implementing human resources policies; planning and executing human resources processes</p>	<p>Establishing and implementing labor contracts, fulfilling contractual liabilities</p>
	<p>Carrying out recruitment and personnel rights processes</p>
	<p>Establishing processes for side benefits and rights such as corporate health insurance and individual pension as well as the exercising or protection of said rights</p>
	<p>Compliance with occupational health and safety regulations, examination at recruitment and periodic examinations and checks under the supervision of the workplace doctor, medical report, e-prescription, health screening processes</p>

In cases when the personal data processing conditions set out in Article 6(3) of the Law are not fulfilled, the personal data may only be processed after obtaining the explicit consent of the data subject.

5.5. DELETION, ELIMINATION OR ANONYMIZATION OF SPECIAL CATEGORIES OF PERSONAL DATA

Despite being processed under the provisions of this Law and other related laws, personal data shall be erased, destructed or anonymized by the Company, ex officio or upon demand by the data subject, upon disappearance of reasons which require the process.

The general principles set out in article 4 of the Law, technical and administrative measures to be taken within the framework of article 12 of the Law, the provisions of related legislation, Board decisions and the **Personal Data Storage and Disposal Policy** must be conformed to for the deletion, elimination or anonymization of personal data.

5.6. TRANSFERRING SPECIAL CATEGORIES OF PERSONAL DATA

For transfer of special categories of personal data to be carried out by the Company, the conditions set out by the Board Decision for the transfer of special categories of personal data will be followed.

The parties to whom personal data may be transferred by the company and the purposes for the said transfer are listed below:

Parties to whom Personal Data may be Transferred	Reasons for Transfer
Officially Authorized Institutions	Fulfilling the information-documentation requirement of authorized public institutions and organizations and private legal persons within the framework of their legal authorities.
Business Partners	Fulfilling the establishment goals and carrying out the business activities of the business partnership
Affiliates	Carrying on with activities requiring the involvement of affiliates.
Suppliers	Managing processes on outsourced goods and services, receiving support and consultancy services, allowing the personnel to make use of side benefits

5.6.1. TRANSFERRING SPECIAL CATEGORIES OF PERSONAL DATA IN TURKEY

Special categories of personal data may be transferred by the Company by taking the necessary measures as set out by the Board and in the following cases:

- The explicit consent of the related person is obtained,

- b) The transfer is clearly anticipated in related legislation applicable for special categories of personal data excluding those relating to health and sexual life,
- c) Personal data relating to health and sexual life may only be processed, without seeking explicit consent of the data subject, by any person or authorized public institutions and organizations that have a confidentiality obligation, for the purposes of protection of public health, operation of preventive medicine, medical diagnosis, treatment and care services, planning and management of health-care services as well as their financing.

Adequate measures for the transfer of special categories of personal data are set out in article 6 hereunder.

5.6.2. TRANSFERRING SPECIAL CATEGORIES OF PERSONAL DATA ABROAD

The Company will be entitled to transfer personal data abroad in the following cases:

- a) The explicit consent of the related person is obtained,
- b) The transfer is clearly anticipated in related legislation applicable for special categories of personal data excluding those relating to health and sexual life,
 - Sufficient protection is provided in the foreign country where the data is to be transferred
 - The controllers in Turkey and in the related foreign country guarantee a sufficient protection in writing and the Board has authorized such transfer, where sufficient protection is not provided.

In cases where interests of Turkey or the data subject will seriously be harmed, personal data, without prejudice to the provisions of international agreements, may only be transferred abroad upon the permission to be given by the Board after receiving the opinions of related public institutions and organizations

Adequate measures for the transfer of special categories of personal data abroad are set out in article 6 hereunder.

6. MATTERS CONCERNING DATA SECURITY

The Company will be obliged to take all necessary technical and administrative measures to provide a sufficient level of security in order to prevent unlawful processing of special categories of personal data, prevent unlawful access to said data, ensure the retention of personal data; conduct necessary inspections with the aim of implementing the provisions of the Law and the Board Decision.

6.1 ADMINISTRATIVE MEASURES

- a) The probability of realization of risks that may likely arise in terms of the protection of personal data and losses to incur in case of such realization will be determined and measures will be taken to minimize or eliminate said risks.
- b) The duties, authorities and responsibilities of personnel involved in processes concerning all policies and procedures on the processing as well as ensuring the privacy and protection of personal data will be put in writing and made available to the entire personnel.
- c) Required trainings on the Law and relevant regulations and the protection of special categories of personal data will be provided to the personnel on a regular basis.

- d) The policies and procedures will be kept updated, the personnel will be provided training and kept informed on any changes.
- e) During the recruitment process, provisions concerning the protection and privacy of special categories of personal data will be included in any agreements to be executed by and between the Company and the employees and signed by the employee.
- f) It will be established whether processed personal data are still required and whether these data are kept correctly and measures will be taken to ensure that personal data kept in the archives are stored in more secure locations, any personal data that are no longer required are deleted, eliminated or anonymized in compliance with the **Personal Data Storage and Disposal Policy**.
- g) In-house access to any retained data will be restricted to personnel who should have access in line with their job descriptions.
- h) In cases when the personnel violate any policies and procedures established and announced by the company, the sanctions set out in the **Disciplinary Procedure** will be applicable.
- i) As regards to sharing special categories of personal data, confidentiality agreements concerning the protection of special categories of personal data and data privacy will be executed with persons with whom special categories of personal data are shared and data processors or provisions about data privacy will be included in existing agreements.
- j) Regular checks will be implemented, the required actions will be planned and carried out for areas of potential improvement within the framework of policies and procedures.
- k) Actions will be planned for carrying out inspections in order to fulfill regulatory obligations and to establish any deficiencies in data privacy and security, and the resulting findings will be promptly rectified.
- l) In cases when the processed special categories of personal data are captured by third parties by illegal means, the related party and the Board will be informed about this state of affairs as soon as possible.

6.2 TECHNICAL MEASURES

- a) SSL connections, anti-virus and firewall software and hardware will be employed to protect information technology system containing personal data and the data.
- b) Any obsolete hardware and services will be deleted.
- c) Regular checks will be conducted to ensure that the software and hardware are in good working order and that the security measures and security updates for data storage points are adequate. The required security tests will be conducted on a regular basis and test results will be recorded. The required patching activities and software updates will be carried out in order to close security gaps.
- d) Access to systems containing special categories of personal data will be allowed within the framework of access policies, user and role management procedures. The extent and terms of authorities of users allowed access to the data will be clearly defined. The access rights to personal data of Information Technologies personnel will be kept under control.
- e) If remote access to the data is required, a two-factor authentication system will be employed as a minimum.

- f) Authority checks will be performed on a regular basis.
- g) The authorities of any personnel who have their position changed or who leave their jobs will be promptly revoked. Within this framework, any inventories assigned to the said personnel will be recovered.
- h) Measures will be taken to ensure that the technical substructure preventing or detecting any data leakages outside the company is available.
- i) Log records of all users will be kept on a regular basis.
- j) System vulnerabilities will be checked by receiving leak test services on a regular basis and when required.
- k) Adequate security measures (such as measures against electric leakage, fire, flood, theft etc.) will be taken depending on the characteristics of locations where special categories of personal data are stored. The physical security of said locations will be guaranteed and unauthorized access will be prevented.
- l) All data will be backed up and all backups will be physically secured in order to ensure secure storage of special categories of personal data.
- m) Measures will be taken to ensure that special categories of personal data are destroyed in an irrevocable manner and without leaving any audit trails.
- n) Data in all kinds of locations where special categories of personal data are stored will be protected by cryptographic means. Cryptographic keys will be kept in safe and varied locations.
- o) During the storage and use of personal data retained in the cloud medium, measures will be taken that data are encrypted by cryptographic means and, if possible for personal data, separate encryption keys are used for each cloud solution employed and the entire copies of the encryption keys needed to activate personal data are destroyed at the termination of the cloud informatics service relation.
- p) If special categories of personal data are to be transferred by e-mail, measures will be taken that the data are transferred cryptically via a corporate e-mail address or a Registered Electronic Mail (REM) account.
- q) In cases when personal data are to be transferred via flash memory, CD, DVD etc., data will be encrypted by cryptographic means and the cryptographic keys will be kept in a different location.
- r) While transferring data to and from servers in different physical environments, data will be transferred by installing VPN between the servers or by using the sFTP method.
- s) While transferring data by using hard copies, such documents will be protected against risks such as theft, loss or being seen by unauthorized persons, and sent in the "classified document" format.

7. RIGHTS OF THE DATA SUBJECT

Provisions concerning the rights of the related person within the framework of the Law, the means of filing claims regarding the execution of the Law and the conclusion of said claims by the Company are set out in the **Policy on The Protection and Processing of Personal Data**.