

Policy on Protection and Processing of Personal Data

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1. Introduction

Pursuant to Art. 20 of the Constitution of Republic of Turkey, every person shall have the right to demand the protection of his/her personal data. This right includes the right to demand to be informed regarding his/her own personal data, access to such Personal Data, request the correction or deletion of personal data and to be informed on whether such data is being used in accordance with its purposes of collection.

The Law on Protection of Personal Data No. 6698 (“**PDP Law**”) sets out the fundamental rights and freedoms of persons with respect to Personal Data Processing and regulates the obligations of real and legal persons who process personal data and procedures and principles to be complied with. The objective of this Policy, prepared in this direction, is to ensure that the obligations with respect to the regulations of the PDP Law is fulfilled.

The objective of this Policy is to protect the personal data of the guarantor, customers, visitors, contractors and third persons governed according to this Policy. Policy regarding to our employees is complying with this general Policy and to be governed under the Policy on Personal Data Processing of Employees.

In the event of a discrepancy between PDP Law and Policy on Protection and Processing of Personal Data, legislation in force shall be applicable.

2. Objectives

Siemens Sanayi ve Ticaret Anonim Şirketi (“**Siemens**”) and its Subsidiaries Policy on Processing and Protection of Personal Data (“**Policy**”) has been prepared to set out the fundamental rights and freedoms; particularly the right of privacy, of persons whose personal data are processed and the obligations of real persons or legal entities’ that process personal data, and procedures and principles to be complied with by such real or legal persons.

By this Policy, continuance and development of the activities carried out by Siemens in accordance with the principles set out by PDP Law is adopted.

3. Scope

Data subjects whose personal data is processed within the scope of this Policy is categorized as below.

Customers	Real persons whose personal data are obtained due to business relations within the scope of activities carried out by Siemens regardless of whether there is any contractual relationship.
Third Persons	Other real persons including but not limited to supplier, visitor, guarantor, seller, etc. whose personal data is processed within the scope of this Policy, despite not being defined herein.

4. Definitions

Definitions used in this Policy herein are specified below.

Explicit Consent	Consent to a specific matter, based on informing and given by free will.
Anonymization	Transforming the personal data to a state in which even if the personal data is linked with other data, personal data may not be associated with any specific or identifiable real person anymore
Supplier	Real persons providing products or services to Siemens
Personal Health Data	All kinds of information as regards the physical and mental health of a specific or identifiable real person and information with respect to any medical service provided to such persons
Personal Data	Any kind of information of an identified or identifiable real person

Processing Personal Data	All kinds of processes performed on personal data including obtaining, recording, storing, keeping, changing, re-arranging, disclosure, transmission, acquisition, making available, classification or prevention of use in whole or in part, automatically or in non-automatic ways, being part of any data recording system
PDP Law	The Law on Personal Data Protection No. 6698
PDP Board	Personal Data Protection Board
PDP Institution	Personal Data Protection Institution
Sensitive Personal Data	Personal data with respect to real persons' race, ethnicity, political opinion, philosophical beliefs, religious sects and other beliefs, appearance, information as regards a membership of any association, foundation and union, health, sexual life, criminal record and security precautions imposed, biometric and genetic data
TCC	Turkish Criminal Code No. 5237
Data Processor	A real person or legal entity which processes personal data by the authority granted by data controller on behalf of data controller
Personal Data Subject	Real person whose personal data is processed and that have referred to as "related person" in PDP Law.
Personal Data Subject Application Form	Application form that data subjects, of whose personal data is processed by Siemens, shall use when using their rights specified in Art. 11 of PDP Law.
Data Controller	Real persons or legal entities responsible of the set up and management of data recording system and determining data processing objectives and means.
Registry of Data Controllers	Registry of Data Controllers kept by the Presidency under the supervision of the Board of Protection of Personal Data.
Data Inventory	The Inventory which has been prepared by and detailed via correlating the data processing activities of Siemens conducted based on business processes with the recipient group and the related data subject group.

5. General Principles of Personal Data Processing

Any kind of transaction such as recording, storing, preserving, altering, rearranging, disclosing, transferring, taking over, transferring, storing or storing personal data in whole or in part, automatically or in a part of any data recording system, classification, or prohibition of use of such data, are all covered by the processing of personal data as per article 3 of the PDP Law.

It is mandatory to comply with the below mentioned principles with respect to personal data processing.

a. To comply with the Law and the Principle of Good Faith

Our Company carries out its data processing activities lawfully and in good faith, in conformity with the PDP Law and other relevant legislation. In particular with the Constitution

b. To be accurate and updated if necessary

All kinds of administrative and technical precautions are taken by our Company while carrying out the data processing activities in order to ensure the accuracy and up-to-dateness of personal data.

c. To process data in the cause of specified, explicit and legitimate purposes

Our Company determines the purposes of data processing as clear and certain prior to the beginning of the data processing activities.

d. To be limited and relevant and in proportion with the objective of which the data processing is based on

Personal data are processed by our company, to the extent that is required to achieve the specified purposes. Data processing activity is not carried out with the assumption that it can be used later.

e. To be stored for the period required by the purpose of which the data processing is based on or the period specified by the relevant legislation

Our Company stores Personal Data, for the period required by the purpose of which the data processing is based on or the period specified by DPL or the related legislation

6. Conditions of Data Processing

Our Company may carry out data processing activities with respect to Personal Data and Sensitive Personal Data with the explicit consent of the Data Subject or without the explicit consent for the cases stipulated in Article 5 and 6 of PDP Law.

6.1. Processing of Personal Data

Our Company carries out the Personal Data Processing activities in accordance with the processing conditions set forth under Article 5 of PDP Law.

- a. In case it's clearly stipulated by laws,
- b. It is necessary in order to protect the life or physical integrity of the data subject or another person where the data subject is physically or legally incapable of giving consent or whose discretion is not recognized as legal,
- c. It is necessary to process the personal data of parties of a contract, provided that the processing is directly related to the execution or performance of the contract
- d. In case it is compulsory for Siemens to fulfill its legal obligation,
- e. The relevant information is revealed to the public by the employee himself/herself,
- f. It is necessary for the institution, usage, or protection of a right,
- g. It is necessary for the legitimate interests of Siemens, provided that the fundamental rights and freedoms of the employee are not harmed.

6.2. Processing of Sensitive Personal Data:

Sensitive personal data bearing the risk of discrimination if the data are processed illegally are processed in accordance with the data processing conditions stated in article 6 of the PDP Law. It is prohibited to process sensitive personal data without explicit consent. However, provided that sufficient measures determined by the PDP Board are taken, it will be possible to process sensitive personal data without their explicit consent of data subject in the following cases.

a. Processing of Personal Health Data:

Personal health data may be processed in the presence of one of the conditions listed below, provided that; (i) adequate measures foreseen by the PDP Board are taken, (ii) the general principles are followed, (iii) the confidentiality obligation is undertaken:

- Written explicit consent of data subject
- Protection of public health

- Preventive medicine
- Execution of medical diagnosis, treatment and care services,
- Planning and managing of healthcare services and its financing

b. Processing of Sensitive Data Except for Health and Sexual Life

Data within this scope may be processed with the explicit consent of the employee or in cases where it is stipulated by the laws.

6.3. Categorization of the Personal Data processed by our Company

Data Categorization of Personal Data Processed by Siemens

Categories of Personal Data	Explanations	Data Subject Category Associated with Relevant Personal Data
Identification Data	All information on documentation such as; driver's license, identification card and passport, certificate of residence, including but not limited to; Name, surname, T.R Identity Number, nationality information, mother's name-father's name, Place of Birth, Date of Birth and Sex, vehicle plate, photo, video, audio and visual recordings etc.	Suppliers, Third Parties, Contractors, Visitors
Communication Data	Informations such as; Telephone number, address, e-mail, fax number	Suppliers, Third Parties, Contractors, Visitors
Customer Data	Information obtained and produced by our business activities and the operations carried out by our business units in this framework	Customers
Dealer/Agency/Broker Data	Real person who carries out the preparatory works before the execution of the contract which is permanently sold on behalf of our Company in a specific place or in the region by using the practices of our company and helps to make payments by the implementation of the contract	Dealer
Customer Transaction Data	Personal data regarding the use of products and services, as well as customer's instructions and requests for use of the products and services.	Customers
Supplier Data	Information necessary to carry out offering services and goods	Suppliers
Data Regarding Our Collaborators Employees	Data regarding our collaborator institutions' employees	Suppliers, Contractors
Visitor Data	Real Persons that entered to the physical facilities of Siemens for various reasons or real persons that visited the website	Visitors

7. Protection and Confidentiality of Personal Data

In accordance with Article 12 of PDP Law, our Company takes all kinds of technical and administrative measures required, to prevent personal data from being unlawfully processed or accessed to, and that the appropriate level of security is maintained to ensure the protection of personal data.

7.1. Technical Measures for Personal Data to be processed in accordance with the Law and the Prevention of Unlawful Access to Personal Data

In order to protect your personal data, Siemens has taken all kinds of technical and technological security precautions and protected your personal data against possible risks. For example; up-to-date network security and application security are provided at Siemens and its subsidiaries. Training and awareness studies are carried out periodically for the employees of Siemens regarding data security. In-house periodic and/or information security audits are conducted. Current risks and threats are identified. Cyber security measures have been taken and the implementation is continuously monitored.

7.2. Administrative Measures and Personal Data to be processed in accordance with the Law and the Prevention of Unlawful Access to Personal Data

- Providing awareness and training on PDP Law to Company employees,
- In the event of data transfer, to ensure that a clause is added to agreements with Parties which Personal Data is transferred to, contemplating that the related Party (which Personal Data are transferred to),
- Determining the requirements to be met for compliance with DPL and to establish a code of conduct for the application of aforesaid requirements,

7.3. Measures to be taken in the event of disclosure of Personal Data via unlawful means

In the event that the processed personal data is obtained by third parties via unlawful means, our Company shall notify the situation to the related data subject and the PDP Board within the shortest time possible.

8. Purposes of the Personal Data Processing and Retention/Storage Periods

8.1. Purposes of Data Processing

Siemens will be able to collect, process and transfer personal data of employees through the relevant departments and for the related purposes mentioned below:

Dealer/Agency/Broker Data; is processed for the collection of the documents in scope of the projects by departments working with the dealers and is transferred to lawyers.

Communication Data; is processed keeping the communication information within the scope of the projects and is transferred to other companies involved in the Project.

Data Regarding Our Collaborators Employees; is processed keeping the communication information of employees of third parties (for example; Banks) Siemens works with.

Identification Data; is processed for carrying out visa and invitation letter procedures and is transferred to third parties.

Identification Data including but not limited to photo, video, audio and visual recordings in the scope of company events, trainings, fair etc. is collected, processed, transferred and published by the company itself and/or third party suppliers/service providers for the purpose of advertising and

promotion, in the company's; internal closed circuit screens, other internal and external written and visual media, digital and social media, official website, third party advertising agencies and other service providers and/or suppliers.

Customer Transaction Data; is processed for keeping Communication information of customers, interview and negotiation notes, registering of customers to system and monitoring them, carrying out enquiry process regarding customers prior to decision to work with customer, managing customer service demands, keeping information of communication person and goods sold to customer, carrying out spare part processes and is transferred to domestic and international direct and indirect subsidiaries and shareholders of Siemens and international data bases.

It is processed for controlling the compliance of expenses regarding sponsorships, hospitality and similar costs, tracking of projects, monitoring financial status of projects, assignments of engineer to projects and for product modelling and is transferred to international data bases and domestic and international direct and indirect subsidiaries and shareholders of Siemens.

It is processed for keeping risk information of customers, making risk assessment and conducting enquiries and is transferred to domestic and international direct and indirect subsidiaries and shareholders of Siemens.

It is processed for keeping the information of participants in events and organizations held by our Company and is transferred to agencies.

It is processed for follow-up of extracts and customer information of the works performed by all Siemens companies and keeping credit limits and points of customers and is transferred to domestic and international direct and indirect subsidiaries and shareholders of Siemens.

It is processed for carrying out the visa procedures and is transferred to consulates.

It is processed for registering customers to systems and monitoring, keeping current account information, managing processes regarding receivables/debts and following the performances and is transferred to domestic and international direct and indirect subsidiaries and shareholders of Siemens.

Customer Data; is processed for conducting the enquiry process of the customer, conducting the credit adequacy analysis processes, managing the prospective customer processes, conducting the enquiry processes before the decision to work with the customer and is transferred to domestic and international direct and indirect subsidiaries and shareholders of Siemens.

It is processed for controlling of the suppliers.

It is processed for managing the prospective customer processes and conducting the enquiry process of the customer.

Supplier Data; is processed for collecting the information of subcontractor's employees who will work in projects owned by Siemens.

It is processed for registering supplier to system and is transferred to domestic and international direct and indirect subsidiaries and shareholders of Siemens.

Visitor Data; is processed for keeping the visitor records and providing visitors with internet access.

All personal data stated in this Policy are processed for carrying out internal audit, control and compliance processes of our Company if necessary and are transferred to domestic and international direct and indirect subsidiaries and shareholders of Siemens and professional service providers that Siemens receives audit services under a contract.

8.2. Data Retention/Storage Periods

Our Company determines whether a certain period is envisaged or not, under the related legislation. If such period is envisaged under the related legislation, our Company conform to the legal period; if not, our Company stores the personal data for the period required for the purpose for which personal data are processed. After the expiration of the Data Processing purpose or after the storage period determined by Our Company or the related legislation, personal data may only be stored for the purposes of constituting evidence for legal disputes, claiming rights relating to said personal data and establishing a plea. No personal data is stored by our Company based on the possibility of future usage.

9. Deletion, Destruction and Anonymization of Personal Data

In accordance with Article 7 of PDP Law, if the data processing purpose is ceased, personal data shall be deleted, destroyed or anonymized by our Company, *ex officio* or upon the request of the data subject, even if the said personal data had been processed in accordance with the relevant legislation.

Procedures and principles regarding this matter shall be carried out pursuant to the PDP Law and the secondary legislation based on PDP Law.

Siemens reserves its right not to fulfill demand of data subject, in the event that Siemens has the right and/or obligation to keep personal data in accordance with the provisions of the relevant legislation.

10. Transfer Purposes and Third Parties to which Personal Data is transferred

The procedures and principles to be applied for personal data transfer, are regulated under Article 8 and 9 of PDP Law. Personal Data and Sensitive Personal Data of Data Subject could be transferred to third parties, domestic or internationally. For the performance of the services, your Personal Data may be processed by Siemens in accordance with the Law and related legislation; and may be shared with domestic and international direct and indirect subsidiaries and shareholders of Siemens, service providers/supplier of Siemens, contracted institutions, lawyers, real and legal persons that Siemens has a proxy relationship with, business partners and other third parties. In any case, Personal Data may not be transferred without the explicit consent of Data Subject except for the exemptions.

10.1. Domestic Transfer of Personal Data

In accordance with Article 8 of PDP Law, domestic transfer of personal data may be conducted, provided that one of the conditions specified in Chapter 6 of the Policy "Conditions of Personal Data Processing" is satisfied.

10.2. Transfer of Personal Data to Abroad

In accordance with Article 9 of PDP Law, in case that the personal data is transferred internationally, in addition to the necessity of the conditions set forth for domestic transfers to be satisfied, the existence of one of the below-mentioned conditions is required:

- The country to be transferred is declared among the countries with sufficient protection by PDP Board
- In the event that the country to which the data transfer is conducted lack of sufficient protection, data controllers in Turkey and in the related foreign country shall commit to undertake the adequate protection in writing, in addition to the PDP Board's permission

10.3. Third Parties That Personal Data is Transferred

In accordance with Articles 8 and 9 of PDP Law, our Company may transfer personal data of data subject covered by this Policy to the below specified third parties:

THIRD PARTIES	DEFINITIONS	TRANSFER OBJECTIVES
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Legally Authorized Public Institutions and Organizations	Public institutions and organizations authorized to obtain information and documents from our Company in accordance with the provisions of the relevant legislation	Limited to the purpose for which the relevant public institutions and organizations have requested within the relevant legal framework
Legally Authorized Private Law Entities	Private Law Entities authorized to obtain information and documents from our Company in accordance with the provisions of the relevant legislation	Limited to the purpose of which the entity has requested within its competence

11. Obligation to Inform of our Company

In accordance with Article 10 of DPL, our company shall inform Data Subjects during Personal Data Collection and thereof, our Company fulfills the obligation to inform with respect to the following matters:

- a. Title of our Company as data controller
- b. Purposes of data processing
- c. To whom and what purpose personal data may be transferred
- d. The method and legal reason of collection of personal data
- e. Rights of the data subject

12. Rights of the Data Subject and Their Use

In accordance with Article 13 of PDP Law, the evaluation of the rights of the data subjects and informing to be made to data subjects are also carried out via Siemens Data Subject Application Form in addition to this Policy. Data subjects may submit their complaints or requests regarding the data processing activities with respect to their personal data, within the principles stipulated on the relevant form.

12.1. Right of Petition

In accordance with Article 11 of PDP Law, any person whose personal data is processed may apply to our Company and submit requests related to him/her, with respect to the below-mentioned matters:

- a. Learning whether the personal data are processed or not,
- b. Requesting information regarding the personal data if they are processed,
- c. Learning the purpose of processing the personal data and whether they are used for the purpose or not,
- d. Learning the third parties inside and outside the country to whom the personal data are transferred,
- e. Requesting correction of the personal data in case they are short or wrong processed and the transaction performed under this scope to be informed to the third parties to whom the personal data are transferred,
- f. In case the reasons justifying the process of the personal data are ceased, requesting deletion, erasing or making anonymous of them and the transaction performed under this scope to be informed to the third parties to whom the personal data are transferred,
- g. Objecting to any consequence against the data subject by means of analyzing the processed data exclusively by the automatic systems,
- h. Claiming the compensation of the loss in case of suffering loss due to illegal process of the personal data.

12.2. Exemptions to Right of Petition

According to Article 28 of PDP Law, data subjects may not claim rights in the below-mentioned circumstances:

- a. Process of personal data within the scope of activities related to data subject himself/herself or related to his/her family members that reside in the same residence, provided that the said data are not shared with third persons and provided that the data security obligations are complied with.
- b. Process of personal data with purposes of research, planning and statistics and by anonymizing via official statistics.
- c. Process of personal data within the context of art, history, literature, or with scientific purposes or within the scope of freedom of speech, provided that such information does not infringe or constitute a criminal offense against national defense, national security, public safety, public order, economic security, right to privacy and personal rights.
- d. Process of personal data within the scope of preventive, protective and informative activities carried out by public agencies and institutions authorized by Law with respect to national defense, public safety, public order or economic security
- e. Process of personal data by judicial or administrative authorities in relation to the investigation, prosecution, trial or execution procedures

According to paragraph 2 of Article 28 of PDP Law, data subjects, except the right to claim damages, may not claim rights in the below mentioned circumstances:

- a. In the event that personal data processing is required in order to prevent or investigate a crime
- b. Processing personal data that is publicized by the related person
- c. The fact that personal data processing is required for competent public authorities, public institutions and Public Professional Associations, authorized by Law, to conduct supervisory or regulatory duties and for disciplinary investigations or prosecutions
- d. The fact that personal data processing is necessary to protect the economic and financial interests of the state in relation to budget, tax and financial matters.

12.3. Procedure of Response

In accordance with Article 13 of PDP Law, our Company shall conclude a free investigation within 30 (thirty) days as soon as possible and in accordance with the nature of the claim, to the application requests made by the data subject.

The Data Subjects application may be rejected in the below-mentioned cases:

- a. Violating the rights and freedoms of other persons
- b. Requiring disproportionate effort
- c. In the event that the relevant information is available to the public
- d. Jeopardizing the privacy of others
- e. The existence of one of the cases not covered by the PDP Law

13. Data Processing Activities within the Company and on the website of the Company

13.1. Camera Surveillance within the Company

In order to protect the security of our company and other persons, monitoring is carried out in our Company with cameras.

In line with the regulations contained in PDP Law, our Company publishes this Policy on our website regarding the surveillance and monitoring activities carried out by our Company, and a notice with respect to surveillance is posted on the entrance of the areas where surveillance is carried out.

There are no surveillance in areas where surveillance may result in interference with the privacy of persons. Security camera records are only accessible to a limited number of employees of the Company and, in case of need, to the employees of the Security Company, as suppliers. Those who have access to the records declare that they shall protect the confidentiality of the data they have obtained, with the confidentiality agreement they have signed.

13.2. Entrance and Exit Logs of Customers visiting the Company

Personal data processing activities are being carried out to follow the entrance and exit of our guests who visit our Company. When the name-surname information of the persons that visit our Company is obtained, the said data are processed only for this purpose and recorded in the recording system by a physical means.

13.3. Keeping Records Regarding Internet Access Provided to Visitors of the Company

Internet access is provided by our Company to visitors during their time period spent in our premises and facilities, upon request. Accordingly, the log records of your internet accesses are recorded according to the mandatory provisions of the Law on Regulation of Publications on the Internet and Suppression of Crimes Committed by Means of Such Publications No. 5651 and the legislation regulated according to this Law; these records are only processed due to the requests of authorized public institutions and agencies or in order to fulfill our legal obligations in the inspection processes to be carried out within our Company. The log records obtained within this scope are only accessible to a limited number of employees that are under the obligation of confidentiality. Our employees who have access to these records may only share this records upon the request of authorized public institutions and agencies or with legally authorized persons in order for these records to be used for inspection processes.

13.4. Website Visitors

Internet activities on the website are recorded in order for customized content to be displayed and online advertising activities (via technical manners such as cookies) to be conducted and to ensure that Website Visitors are able to carry out their visits in a manner in line with their purposes. Detailed explanations regarding the said activities of our Company are included in the Privacy Policy available on our website.

14. Important dates in terms of Data Protection Law

7 April 2016	Unless otherwise stated, the provisions of PDP Law enter into force on 7 April 2016, the date of publication.
7 October 2016	The following provisions of PDP Law enter into force on 7 October 2016: <ul style="list-style-type: none"> a. Provisions for the transfer of personal data to third parties and abroad b. Provisions concerning the rights of personal data subject c. Regulations with respect to data subjects Complaints to PDP Board d. Provisions concerning crimes and offenses arising from PDP Law
7 April 2017	Data that are lawfully processed before 7 April 2016 shall be deemed as in accordance with PDP Law by 7 April 2017 unless data subjects declare on the contrary.
7 April 2018	Personal data processed before April 7, 2016 shall be made compatible with PDP Law by 7 April 2018.

This policy may be revised by Siemens, if deemed necessary. In the event of a revision, the most up-to-date version of Policy shall be available on the Company's website.