

O2 GİRİŞİM VE YATIRIM ANONİM ŞİRKETİ – KHAI HOTEL
CLARIFICATION TEXT ON THE RETENTION AND PROTECTION OF
PERSONAL DATA OF GUESTS

Target Group: Guests and all other real persons whose personal data are processed by O2 Girişim ve Yatırım Anonim Şirketi - Khai Hotel

Prepared by: O2 Girişim ve Yatırım Anonim Şirketi

Approved by: O2 Girişim ve Yatırım Anonim Şirketi

Address: Bereketzade Mahallesi Bankalar Caddesi No: 2/1 Beyoğlu / İstanbul

Khai Hotel Address: [●]

Telephone number: [●]

Website: www.khaihotel.com

Date of Preparation: [●]

This Clarification Text is specific to O2 Girişim ve Yatırım Anonim Şirketi - Khai Hotel. It cannot be given to third parties and organizations other than the institutions authorized by O2 Girişim ve Yatırım Anonim Şirketi - Khai Hotel. It is forbidden to copy, reproduce, use, publish and distribute all contents in the text in whole or in part without permission except for individual use. Legal action will be taken against those who do not comply with this prohibition in accordance with the Law No. 5846 on Intellectual and Artistic Works.

Table Of Contents

Introduction	2
Purpose	3
Scope	3

Abbreviations and Definitions	3
General Principles Regarding the Processing of Personal Data	6
Processed Personal Data	7
Terms of Processing of Personal Data	8
Purposes of Processing Personal Data	9
Persons to whom Personal Data will be Transferred and Reasons for Transfer	10
Methods and Legal Grounds for Collection of Personal Data	11
Erasure, Destruction and Anonymization of Personal Data	12
Recording Media of Personal Data	12
Rights of the Personal Data Owner	13
Identity of the Data Controller	14

1. Introduction

Pursuant to Article 20 of the Constitution of the Republic of Turkey, everyone has the right to demand the protection of personal data concerning him/her. This right includes the right to be informed about personal data concerning oneself, to access such data, to request their correction or deletion, and to learn whether they are used for their intended purposes.

Law No. 6698 on the Protection of Personal Data (“**Personal Data Protection Law**”) regulates the protection of fundamental rights and freedoms of individuals in the processing of personal data and the obligations of natural and legal persons who process personal data and the procedures and principles to be followed. The purpose of this Clarification Text prepared in this direction is to ensure compliance with the obligations regarding the Personal Data Protection Law regulations.

This Clarification Text has been prepared to protect the personal data of customers, guests, visitors, suppliers and other third parties. The protection of personal data of our employees is managed under the Khai Hotel Clarification Text for the Retention and Protection of Personal Data of Guests, which is written in parallel with the principles in this Clarification Text.

In the event of a conflict between the Personal Data Protection Law and other relevant legislation and the Khai Hotel Clarification Text on the Retention and Protection of Personal Data of Guests, the legislation in force shall apply.

2. Purpose

This Clarification Text ("**Clarification Text**") for the Storage and Protection of Personal Data of Guests O2 Girişim ve Yatırım Anonim Şirketi - Khai Hotel has been prepared by O2 Girişim ve Yatırım Anonim Şirketi (as the data controller) in order to fulfill our obligations under the

Personal Data Protection Law in accordance with Article 10 of the Personal Data Protection Law and the Communiqué on the Procedures and Principles to be Followed in Fulfilling the Disclosure Obligation and the Regulation on the Deletion, Destruction or Anonymization of Personal Data ("**Regulation**"), which constitutes the secondary regulation of the Personal Data Protection Law by informing about the rights of the data owner and the principles of determining the maximum storage period.

During your visit to this website and your use of the services we offer through this website, the use and protection of the information we obtain about you and the services you request is subject to the terms set forth in this Clarification Text. By visiting this website and requesting to benefit from the services we offer through this website, you hereby accept the terms set forth in this Clarification Text.

3. Scope

This Clarification Text is applied in all other recording media and activities for personal data processing in online, visual, written, electronic and/or commercial information and documents where personal data belonging to Khai guests, visitors and other third parties and personal data owned or managed by Khai are processed.

4. Abbreviations and Definitions

Receiver Group:	The category of real or legal person to whom personal data is transferred by the data controller.
Explicit Consent:	Consent on a specific issue, based on information and freely given.
Anonymization:	Making personal data impossible to be associated with an identified or identifiable real person under any circumstances, even by matching with other data.
Head:	Head of the Personal Data Protection Authority
Electronic Media:	Environments where personal data can be created, read, changed and written with electronic devices.

Non-Electronic Media:	All written, printed, visual, etc. media other than electronic media
Service Provider:	A real or legal person who provides services under a specific contract with Khai
Related Person:	Real person whose personal data is processed
Related User:	Persons who process personal data within the organization of the data controller or in accordance with the authorization and instruction received from the data controller, except for the person or unit responsible for the technical storage, protection and backup of the data
Destruction:	Deletion, destruction or anonymization of personal data
Personal Data Protection Law:	Law No. 6698 on the Protection of Personal Data
Recording Media:	Any environment where personal data processed by fully or partially automatic means or by non-automatic means, provided that it is part of any data recording system
Personal Data:	Any information relating to an identified or identifiable real person
Personal Data Processing Inventory:	Inventory in which data controllers detail the personal data processing activities they carry out depending on their business processes by associating them with the purposes of processing personal data, data category, transferred recipient group and data subject group and by explaining the maximum time required for the purposes for which personal data are processed, the personal data foreseen to be transferred to foreign countries and the measures taken regarding data security

Processing of Personal Data:	All kinds of operations performed on personal data such as obtaining, recording, storing, changing, rearranging, disclosing, transferring, taking over, making available, classifying or preventing the use of personal data by fully or partially automatic means or by non-automatic means provided that they are part of any data recording system
Board:	Personal Data Protection Board
Authority:	Personal Data Protection Authority
Special Categories Of Personal Data:	Data on race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, appearance and dress, membership of associations, foundations or trade unions, health, sexual life, criminal convictions and security measures, and biometric and genetic data
Data Processor:	Real or legal person who processes personal data on behalf of the data controller based on the authorization granted by the data controller
Data Registration System:	Registration system where personal data is structured and processed according to certain criteria
Data Controller:	The natural or legal person who determines the purposes and means of processing personal data and is responsible for the establishment and management of the data registration system
Data Controllers Registry Information System:	The information system created and managed by the Directorate, accessible via the internet, which data controllers will use in the application to the Registry and other related transactions related to the Registry

Registry System	Information	Data Controllers Registry Information System
Regulation:		Regulation on Deletion, Destruction or Anonymization of Personal Data published in the Official Gazette dated 28 October 2017

5. General Principles Regarding the Processing of Personal Data

In accordance with the Law No. 6698 on the Protection of Personal Data and the relevant legislation in force, the following principles have been determined for the processing of personal data within Khai Hotel:

- **Compliance with the Law and Good Faith:** Khai questions the source of the data it collects or received from other companies and attaches importance to obtaining them in accordance with the law and within the framework of honesty rules. Within this framework, Khai makes the necessary warnings and notifications to third parties (agencies, commercial sites that provide services within the scope of Khai Hotel's business activity, and other intermediary organizations) that sell the services offered by Khai in order to protect personal data.
- **Being Accurate and Up-to-Date When Necessary:** As Khai, it is important that all data within the organization is accurate, does not contain false information, and finally, if there are changes in personal data and they are communicated to them, they are updated. Khai is not obliged to investigate the accuracy of the data declared by guests or persons who come into contact with the hotel, nor is this practice due to legal reasons and working principles. The declared data is considered correct.
- **Processing for Specific, Explicit and Legitimate Purposes:** Only personal data that is actually necessary for Khai is collected. If the same result can be achieved with less personal data, it is guaranteed that only this data will be used. This data may be used for statistical purposes. Health data from special quality data is collected and carefully kept in the system only to provide better service to the guests, to protect their health and to take precautions in case of a possible discomfort.
- **Being relevant, limited and proportionate to the purpose for which they are processed:** Khai uses personal data only for the purpose for which they are

processed and to the extent required by the service. Data processing activities are not carried out with the assumption that it can be used later.

- **Retention for the period stipulated in the relevant legislation or required for the purpose for which they are processed:** Khai stores personal data limited to the period stipulated in the Personal Data Protection Law, the relevant legislation or as required by the purposes of the data processing activity.

6. Processed Personal Data

Personal data is any information relating to an identified or identifiable real person. In this context, any information that can be associated with the person such as the main identity information, address and telephone information, bank account information of the guest, visitor or the person visiting the facility is referred to as "**Personal Data**". Pursuant to Article 6 of the Personal Data Protection Law, special data such as race, ethnic origin, political opinion, philosophical belief, religion, sect or other beliefs, association, foundation or union membership, health, sexual life, criminal conviction and security measures, and biometric and genetic data are referred to as "**Special Categories Of Personal Data**". Accordingly, the explanations to be made for personal data also cover special categories of personal data.

In this context, the personal data collected as Khai are as follows:

- Name, surname, Turkish ID number/tax ID number and identification data such as age, photograph on identity card, passport and similar identity documents
- Signature, identity, contact and legal transaction data on various documents such as contracts and filled forms,
- Contact data such as address, residential address, e-mail address, telephone and fax numbers, mobile phone number,
- Room number, reservation dates and check-in and check-out times,
- Financial data such as bank account information, billing information, credit card information, payment records, debit and credit breakdowns,
- Transaction data such as your preferences, likes and comments about our services: Smoking information, preferred floor, type of newspaper/magazine, sports and cultural interests, dietary habits and food allergies and other diagnosed allergies, medication usage information, results and comments of guest satisfaction surveys,
- Physical space security data such as business entrance and exit records (vehicle license plate information, audio and video from all security camera records operating 24/7 within the hotel)
- IP Address, website login, exit and navigation information
- Copies of correspondence we receive
- Information collected through the use of closed circuit television systems, card key and other security systems

As a general rule, Khai collects personal data directly from the individual. In most cases where personal data collected about the individual is transmitted and/or stored by a third party, we

make sure that the individual's consent is obtained before receiving this information from third parties.

Information collected on persons under 16 years of age is limited to name, nationality and date of birth. This information can only be provided by an adult. It is necessary to ensure that persons under the age of 16 do not submit personal data to Khai without adult consent. If such data is submitted, you may contact the Data Controller to have the information deleted.

Khai may collect information about the person without his/her knowledge or consent in the cases listed in Article 5 of the Personal Data Protection Law

7. Terms of Processing of Personal Data

Khai may process personal data and special categories of personal data with the explicit consent of the personal data owner or without explicit consent in cases stipulated in Articles 5 and 6 of the Personal Data Protection Law.

Khai carries out its personal data processing activities in accordance with the data processing conditions set forth in Article 5 of the Personal Data Protection Law:

- It is expressly provided for by the laws.
- It is necessary for the protection of life or physical integrity of the person himself/herself or of any other person, who is unable to explain his/her consent due to the physical disability or whose consent is not deemed legally valid. Processing of personal data of the parties to a contract is necessary, provided that it is directly related to the establishment or performance of the contract.
- It is mandatory for Khai to fulfill its legal obligation.
- Personal data have been made public by the data subject himself/herself.
- Data processing is mandatory for the establishment, exercise or protection of a right.
- Data processing is mandatory for the legitimate interests of our Company, provided that it does not harm the fundamental rights and freedoms of the personal data owner.

Processing of Special Categories of Personal Data

Khai carries out the processing of personal data of special nature, which carries the risk of discrimination when processed unlawfully, in accordance with the data processing conditions set forth in Article 6 of the Personal Data Protection Law. It is prohibited to process special categories of personal data without the explicit consent of the personal data owner. However, provided that adequate measures determined by the Board are taken, special categories of personal data may be processed without the explicit consent of the personal data owner in the following cases:

➤ **Processing of Personal Health Data:**

Personal health data may be processed in the presence of one of the conditions listed below, provided that (i) taking adequate measures to be stipulated by the Board, (ii) acting in accordance with general principles, (iii) being under the obligation of confidentiality:

- Explicit written consent of the personal data owner, protection of public health, preventive medicine, medical diagnosis, treatment and care services, planning and management of health services and financing

➤ **Processing of Special Categories of Personal Data other than Health and Sexual Life**

The processing of data within this scope will be possible with the explicit consent of the personal data owner or in cases stipulated in the above-mentioned laws.

8. Purposes of Processing Personal Data

Your personal data is collected by Khai for;

- Execution of activities in accordance with the legislation
- Conducting finance and accounting affairs
- Conducting company/product/service engagement processes
- Conducting communication activities
- Carrying out activities to ensure business continuity
- Execution of goods/service procurement processes
- Providing after-sales support services for goods/services
- Execution of goods/service sales processes
- Execution of goods/service production and operation processes
- Carrying out the necessary operational activities to ensure that the Company's activities are carried out in accordance with Company procedures and/or relevant legislation
- Execution of guest relations management processes
- Carrying out procedures and studies for guest satisfaction
- Ensuring the health and safety of the company, guests
- Ensuring the security of building and facility premises and/or facilities
- Ensuring the security of its fixtures and/or resources
- Ensuring technical and commercial safety

- Ensuring the security of the organization's operations
- Planning, infrastructure creation and management of information security processes
- Providing information to public officials on matters related to public security and public health
- Conducting marketing analysis studies
- Defining and implementing commercial and business strategies
- Execution of Advertising/Campaign/Promotion processes
- Execution of contract processes
- Follow-up of requests/complaints
- Follow-up and execution of legal issues
- Execution of supply chain management processes
- Execution of remuneration policy, finance and/or accounting affairs
- Realization of price quotation processes for product/service delivery and collection of payments
- Execution of marketing processes of products/services
- Conducting Audit/Ethics activities
- Ensuring the legal, technical and commercial-business security of the Company and the relevant persons in business relations with the Company
- Fulfilling the requests of official institutions/organizations and/or providing information to authorized institutions due to legislation
- Storage of personal data during the general statute of limitations in order to constitute evidence in possible future disputes

9. Persons to whom Personal Data will be Transferred and Reasons for Transfer

The procedures and principles to be applied in personal data transfers are regulated in Articles 8 and 9 of the Personal Data Protection Law, and the personal data and special categories of personal data of the personal data owner can be transferred to third parties at home and abroad. In order to fulfill the services, your personal data may be processed by Khai and Khai's direct and indirect subsidiaries at home and abroad, including but not limited to the Law and other legislation and other regulations related to the laws, regulations of supervisory and regulatory institutions and organizations, and cases required by public authorities, business partners, shareholders, suppliers/service providers from whom Khai receives services, contracted institutions, lawyers for the resolution of legal disputes, real and legal persons with whom we have a power of attorney relationship, our business partners and other third parties. However, in any case, except for exceptions, personal data cannot be transferred without the explicit consent of the personal data owner.

➤ **Domestic Transfer of Personal Data**

In accordance with Article 8 of the Personal Data Protection Law the transfer of personal data domestically will be possible provided that one of the conditions specified in section 9 of this Clarification Text is met.

➤ **Transfer of Personal Data Abroad**

In accordance with Article 9 of the Personal Data Protection Law, in case personal data is transferred abroad, in addition to the fulfillment of the conditions for domestic transfers, the existence of one of the following issues is sought:

- The country to be transferred is counted among the countries with adequate protection announced by the Board or
- In the absence of adequate protection in the country of transfer, the data controllers in Turkey and the relevant foreign country undertake in writing to provide adequate protection and the Board's permission is obtained

10. Methods and Legal Grounds for Collection of Personal Data

Your personal data is collected in order to ensure compliance with Personal Data Protection Law policies and to carry out company activities in accordance with the legal legislation. Your collected personal data will be processed within the framework of the personal data processing conditions and purposes specified in Articles 5 and 6 of the Personal Data Protection Law mentioned above.

Pursuant to the relevant articles of the Personal Data Protection Law, your personal data are collected by automatic or non-automatic means, verbally, in writing or electronically by the following methods:

- i. The website with the address www.khaihotel.com ("**Website**") by automatic or non-automatic means
- ii. Call centers managed by Khai
- iii. The entire sales and marketing network established and managed by Khai
- iv. Through third parties such as group companies, business partners, manufacturers or service/product suppliers to which Khai provides or receives services
- v. Through online sales platforms, tourism agencies, organization companies, business card sharing during fair or seminar visits, solution partner institutions or organizations
- vi. Correspondence/communications carried out via our e-mail addresses

- vii. Means of communication including communication methods including text messages or multimedia messages sent for other purposes for Khai activities

Within the scope of all personal data processing activities carried out, Khai acts in parallel with Article 12 of the Personal Data Protection Law and all obligations required by the relevant legislation, and takes all necessary technical and administrative measures to prevent unlawful processing of personal data and unlawful access to personal data, and to ensure the appropriate level of security to ensure the protection of personal data.

11. Erasure, Destruction and Anonymization of Personal Data

Pursuant to Article 7 of the Personal Data Protection Law, although personal data has been processed in accordance with the relevant legislation, personal data shall be deleted, destroyed or anonymized by Khai ex officio or upon the request of the personal data owner if the reasons requiring its processing disappear. In case of anonymization, Khai will perform the process by choosing the appropriate method from masking, data derivation, pseudonymization, aggregation, data mixing methods. The procedures and principles regarding this matter will be fulfilled in accordance with the Personal Data Protection Law and the Regulation on Deletion, Destruction or Anonymization of Personal Data created on the basis of this Law.

Khai reserves the right not to fulfill the request of the data subject in cases where Khai has the right and/or obligation to preserve personal data in accordance with the provisions of the relevant legislation.

12. Recording Media of Personal Data

KHAI securely stores personal data in accordance with the law in the environments listed in the Table.

Electronic Media	Non-Electronic Media
<ul style="list-style-type: none">• Servers (domain, backup, e-mail, database, web, file sharing, etc.)• Software (office software, portal, etc.)• Information security devices (firewall, intrusion detection and prevention, log file, antivirus, etc.)• Personal computers (desktop, laptop)• Mobile devices (phones, tablets, etc.)• Optical disks (CD, DVD, etc.)• Removable memories (USB, Memory Card, etc.)• Printer, scanner, copier	<ul style="list-style-type: none">• Paper• Manual data recording systems (survey forms, visitor logbook)• Written, printed, visual media

13. Rights of the Personal Data Owner

In accordance with Article 13 of the Personal Data, the evaluation of the rights of personal data owners and the information required to be provided to personal data owners are carried out through Khai Hotel Personal Data Owner Application Form as well as this Clarification Text. Personal data owners can send their complaints or requests regarding the processing of their personal data to Khai within the framework of the principles specified in the relevant form.

In accordance with Article 13 of the Personal Data Protection Law, the evaluation of the rights of personal data owners and the information required to be provided to personal data owners are carried out through Khai Hotel Personal Data Owner Application Form as well as this Clarification Text. Personal data owners can send their complaints or requests regarding the processing of their personal data to Khai within the framework of the principles specified in the relevant form.

Pursuant to Article 11 of the Personal Data Protection Law titled "Rights of the Data Subject", by applying to Khai, the data owner has the right to request:

- To learn whether your personal data is being processed or not,
- To demand for information as to if his/her personal data have been processed
- To learn the purpose of processing your personal data and whether they are used in accordance with their purpose,
- To know the third parties in Turkey or abroad to whom your personal data is transferred,
- To request the rectification of the incomplete or inaccurate data, if any,
- To request the erasure or destruction of his/her personal data under the conditions referred to in Article 7,
- Request notification of the transactions made pursuant to subparagraphs (d) and (e) of Article 11 of the Personal Data Protection Law to third parties to whom your personal data have been transferred,
- To object to the occurrence of a result against the person himself/herself by analyzing the data processed solely through automated systems,
- In case you suffer damage due to the processing of personal data in violation of Personal Data Protection Law, you have the right to demand compensation for the damage

In this context, applications regarding the above-mentioned rights can be delivered by hand or through a notary public with an e-mail you will send to Khai's e-mail address below or a wet signed petition to the company address in a manner to meet the conditions determined by the Personal Data Protection Authority. Khai will finalize the request as soon as possible and within 30 (thirty) days at the latest, depending on the nature of the request. In case there is an additional cost related to the finalization of the requests by Khai, the fees in the tariff determined by the Personal Data Protection Board may be requested by Khai.

Situations Excluded from the Scope of the Right

Pursuant to Article 28 of the Personal Data Protection Law, it will not be possible for personal data subjects to assert their rights in the following cases:

- Processing of personal data by natural persons within the scope of activities related to themselves or their family members living in the same residence, provided that their

personal data is not disclosed to third parties and the obligations regarding data security are complied with,

- Processing of personal data for purposes such as research, planning and statistics by anonymizing them with official statistics,
- Processing of personal data for artistic, historical, literary or scientific purposes or within the scope of freedom of expression, provided that it does not violate national defense, national security, public security, public order, economic security, privacy of private life or personal rights or does not constitute a crime,
- Processing of personal data within the scope of preventive, protective and intelligence activities carried out by public institutions and organizations authorized by law to ensure national defense, national security, public security, public order or economic security,
- Processing of personal data by judicial authorities or enforcement authorities in relation to investigation, prosecution, trial or execution procedures.

Pursuant to paragraph 2 of Article 28 of the Personal Data Protection Law, it will not be possible for personal data subjects to assert their rights (except for the right to claim compensation for damages):

- Processing of personal data is necessary for the prevention of crime or criminal investigation.
- Processing of personal data made public by the data subject himself/herself.
- Processing of personal data is necessary for the execution of supervisory or regulatory duties and disciplinary investigation or prosecution by authorized public institutions and organizations and professional organizations in the nature of public institutions based on the authority granted by law.
- Processing of personal data is necessary for the protection of the economic and financial interests of the State in relation to budget, tax and financial matters.

14. Identity of the Data Controller

For complaints regarding the confidentiality of personal data, you should contact the Khai Hotel Data Controller, whose contact information is given below.

Name - Surname: [●]

Address: [●]

Phone: [●]

Fax: [●]

E-mail: [●]

This Clarification Text has been prepared by Khai, whose information is given below, in the capacity of data controller and entered into force by being announced on the Website. This Clarification Text will be reviewed as needed, especially the changes in the relevant legal regulations, and the necessary sections may be updated.