

# **NİTROMAK DNX KİMYA SANAYİİ A.Ş.**

## **Protection and Processing of Personal Data Policy**

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\* In cases where there is a conflict between the Turkish version which is the original language of the text and any translation of the policy, the Turkish text shall prevail.

## Document Detail

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## Document Name

Protection and Processing of Personal Data Policy

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## 1.INTRODUCTION

### 1.1. Purpose

This Personal Data Protection and Processing Policy (“**Policy**”) explains the principles adopted in the execution of personal data processing activities by Nitromak Dnx Kimya Sanayii A.Ş. (“**Nitromak**” or the “**Company**”) and the methods followed for data processing activities within the framework of these principles.

As Nitromak; it is our priority to ensure that the personal data of natural persons, including employees, employee candidates, trainees, supplier representatives, supplier employees, visitors, product or service purchasers (customers), auditors, board member representatives, shareholder / partner representatives, potential product or service purchasers (potential customers), potential supplier representatives, event participants and other third parties, is processed in accordance with the Constitution of the Republic of Turkey, international conventions on human rights to which our country is a party, and the relevant legislation, in particular the Law on the Protection of Personal Data No. 6698 (“**PPDL**” or “**Law**”), and that the rights of the data subjects whose data are executed effectively.

Protecting personal data and supervising the fundamental rights and freedom of natural persons whose personal data are collected are the basic principles of our policy regarding the processing of personal data. For this reason, we carry out all our activities in which personal data are processed by considering the protection of privacy, the confidentiality of communication, freedom of thought and belief, and the right to use effective legal remedies.

We take and keep up-to-date all administrative and technical measures for the protection of personal data as required by their nature in accordance with the legislation and current technology.

### 1.2. Scope

This Policy applies to all personal data belonging to employees, employee candidates, trainees, supplier representatives, supplier employees, visitors, product or service purchasers (customers),

auditors, board member representatives, shareholders / partner representatives, potential product or service purchasers (potential customers), potential supplier representatives, event participants and other third parties whom are being subjected to data processing by **Nitromak**.

Our Policy is implemented for all processing activities associated with personal data within Nitromak, and was designed and developed considering the PDPL and other legislation regarding personal data and the international standards in this field.

The protection of personal data is only related to natural persons, and information owned by legal entities that do not contain any data about natural person is not included in the scope of personal data protection. Therefore, this Policy does not apply to data owned by legal entities.

### 1.3. Terms and Definitions

Terms	Definition
<b>Explicit Consent</b>	A consent on a particular subject, based on information and free will, with a clear and unambiguous nature, limited only to that transaction.
<b>Employee</b>	Nitromak Dnx Kimya Sanayii A.Ş.'s employees
<b>Employee Candidate</b>	A job seeker who has applied to Nitromak Dnx Kimya Sanayii A.Ş.
<b>Data Subject</b>	A natural person, whose personal data are processed.
<b>Personal Data</b>	Any information relating to an identified or identifiable natural person.
<b>Processing of Personal Data</b>	Any operation which is performed on personal data, wholly or partially by automated means or non-automated means which provided that form part of a filing system, such as collection, recording, storage, protection, alteration, adaptation, disclosure, transfer, retrieval, making available for collection, categorization, preventing the use thereof.
<b>Anonymization</b>	Rendering personal data impossible to link with an identified or identifiable natural person, even through matching them with other data.

<b>Deletion of Personal Data</b>	Making personal data processed completely or partially by automatic means inaccessible and reusable by the relevant users in any way.
<b>Destruction of Personal Data</b>	Making personal data inaccessible, irretrievable and reusable by anyone in any way.
<b>KVK Kurulu</b>	Personal Data Protection Board
<b>KVK Kurumu</b>	Personal Data Protection Authority
<b>PDPL or Law</b>	Law on Protection of Personal Data No. 6698.
<b>Nitromak or Company</b>	Nitromak Dnx Kimya Sanayii A.Ş.
<b>Special Categories of Personal Data</b>	Personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, religious sect or other belief, appearance, membership to associations, foundations or trade-unions, data concerning health, sexual life, criminal convictions and security measures, and the biometric and genetic data are deemed to be special categories of personal data.
<b>Policy</b>	Nitromak Protection and Processing of Personal Data Policy.
<b>Communiqué</b>	Communiqué on Application Procedures and Principles to Data Controller.
<b>Data Processor</b>	The natural or legal person who processes personal data on behalf of the data controller upon its authorization.
<b>Data Controller</b>	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 filing system.

<b>Regulation</b>	Regulation on the Deletion, Destruction or Anonymization of Personal Data, which entered into force by being published in the Official Gazette dated 28.10.2017 and numbered 30224.
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## 2. ROLES AND RESPONSIBILITIES

The distribution of the positions and responsibilities of those involved in the protection and storage of personal data is provided below:

Position Title	Responsibilities
Unit Managers	Responsible for execution of the Policy and for the employees to act in accordance with the Policy, specific to the unit they are the manager of.
Chief Legal Counsel	Responsible for the preparation, development and updating of the Policy, and compliance with the Policy.
IT Manager	Responsible for publishing the Policy on the website, making it accessible to employees and providing the technical solutions needed for its implementation.
Human Resources Manager	Responsible for providing the administrative solutions needed in the implementation of the policy and initiating and executing the disciplinary investigation process in case of any violation of the policy.

## 3. LEGAL OBLIGATIONS

Our legal obligations within the scope of protecting and processing personal data as the Data Controller are provided below:

### 3.1. Our Obligation to Inform

The law grants data subjects the right to demand information about who, for what purposes and legal reasons their data can be processed and to whom it can be transferred, and it deals with these issues within the scope of the data controller's obligation to inform.

**Nitromak** carries out the necessary processes to ensure that the data subjects are informed during the acquisition of personal data in accordance with Article 10 of the Law and the Communiqué on the Procedures and Principles to be Complied with in Fulfilling the Obligation of



Disclosure. In this context, the information included in the clarification texts provided to data subjects by **Nitromak** is as follows:

- (1) Title of our company
- (2) For what purpose personal data will be processed
- (3) To whom and for what purpose the processed personal data can be transferred
- (4) Method and legal reason for collecting personal data
- (5) Rights of the data subject as listed in Article 11 of the Law

We fulfill our obligation to inform through the employees-specific portal or the boards in our physical premises, or by means of printed or electronic information texts specific to data subject groups.

### **3.2. Our Obligation to Ensure Data Security**

As the data controller, we take the administrative and technical measures stipulated in the legislation to ensure the security of the personal data we process. Obligations and measures regarding data security are explained in detail in section 9 of this Policy.

## **4. CLASSIFICATION OF PERSONAL DATA**

### **4.1. Personal Data**

“Personal Data” means any information relating to an identified or identifiable natural person. The protection of personal data is only related to natural persons, and information owned by legal entities that do not contain any data about natural person is not included in the scope of personal data protection. Therefore, this Policy does not apply to data owned by legal entities.

### **4.2. Special Categories of Personal Data**

Personal data relating to the race, ethnic origin, political opinion, philosophical belief, religion, religious sect or other belief, appearance, membership to associations, foundations or trade-unions, data concerning health, sexual life, criminal conviction and security measures, and the biometric and genetic data are deemed to be special categories of personal data.

### 4.3. Categories Related with Personal Data

Data Subjects whose personal data are processed within the scope of our commercial activities and employment purposes and their data are categorized as follows:

#### 4.3.1. Data Subject Categorization

<b>Employee</b>	It refers to the employees employed by <b>Nitromak</b> . Detailed information about the processed personal data of the employees is published in electronic and/or printed media in a way that only employees can access, and they have been provided detailed information on this matter.
<b>Candidate Employee</b>	It refers to real persons who have applied for a job to <b>Nitromak</b> by any means or have provided access to their CV and related information for Nitromak's review. You can reach the Employee Candidate Clarification Text @ <a href="http://www.nitromak.com">www.nitromak.com</a> .
<b>Trainee</b>	It refers to the trainees employed by <b>Nitromak</b> within the scope of compulsory and/or optional internship. Detailed information about the processed personal data of trainees is published in electronic and/or printed media so that only trainees can access, and they have been provided detailed information on this matter.
<b>Supplier Employee</b>	It refers to natural persons who are employees of the party providing goods or services to <b>Nitromak</b> , depending on the contracts concluded within the scope of its commercial activities. You can access the Supplier Employee Clarification Text @ <a href="http://www.nitromak.com">www.nitromak.com</a> .
<b>Supplier Representative</b>	It refers to the natural persons who are authorized by the parties that offer goods or services to <b>Nitromak</b> , depending on the contracts concluded within the scope of its commercial activities. You can access the Supplier

	Representative Clarification Text @ <a href="http://www.nitromak.com">www.nitromak.com</a> .
<b>Potential Supplier Representative</b>	It refers to natural persons who are authorized by the parties that have not yet provided goods or services to <b>Nitromak</b> within the scope of their commercial activities, but are likely to. You can access the Potential Supplier Representative Clarification Text @ <a href="http://www.nitromak.com">www.nitromak.com</a> .
<b>Product or Service Purchaser (Customer)</b>	It refers to natural persons whose personal data are processed through the purchase of products or services within the scope of business activities carried out by <b>Nitromak</b> . You can access the Product or Service Purchaser (Customer) Clarification Text @ <a href="http://www.nitromak.com">www.nitromak.com</a> .
<b>Potential Product or Service Purchaser (Potential Customer)</b>	It refers to real persons whose personal data are processed over the possibility of purchasing products or services, but have not yet purchased products or services from Nitromak within the scope of business activities carried out by Nitromak. You can access the Potential Product or Service Purchaser (Customer) Clarification Text @ <a href="http://www.nitromak.com">www.nitromak.com</a> .
<b>Board Member Representative</b>	It refers to the real persons authorized to represent the legal persons who are the members of the board of directors of <b>Nitromak</b> . Detailed information about the processed personal data of the Member of the Board of Directors is published electronically and/or in print in a way that only the Representative of the Member of the Board of Directors can access, and they have been provided with detailed information on this matter.
<b>Shareholder Partner Representative</b>	It refers to the real persons authorized to represent the legal persons who are partners of shareholders of <b>Nitromak</b> . Detailed information about the processed personal data of the Shareholder Partners is published electronically and/ or in print in a way that only the Shareholder Partner can Access, and they have been given detailed information on this matter.

<b>Visitor</b>	It refers to the natural persons who enter the physical campuses of <b>Nitromak</b> for various purposes or are authorized to access the <b>Nitromak</b> internet. You can access the Visitor Clarification Text @ <a href="http://www.nitromak.com">www.nitromak.com</a> .
<b>Event Participant</b>	It refers to the real persons participating in the events (meetings, fairs, etc.) organized by <b>Nitromak</b> . Detailed information about the processed personal data of the Shareholder Partners is published electronically and/or in print in a way that only the Shareholder Partner can Access, and they have been given detailed information on this matter.
<b>Auditor</b>	It refers to the real persons who provide audit services to <b>Nitromak</b> . Detailed information about the processed personal data of the auditors is published in electronic and/or printed media so that only the Auditors can access, and they have been given detailed information on this matter.

#### 4.3.2. Data Categorization

<b>Identity Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; information included in documents such as driver's license, identity document, residence document, passport, attorney's ID.
<b>Communication Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; such as phone number, address or e-mail information.

<b>Location Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; information on determining the location of the data subject through the tracking systems in the vehicles used by the Company employees and suppliers within the framework of the operations carried out by the Company's business units.
<b>Employee's Personal Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; all kinds of personal data processed for obtaining information that will form the basis for the personal rights of company employees or real persons with whom the Company has a working relationship.
<b>Legal Transaction Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; personal data processed within the scope of determination, follow-up and performance of our legal receivables and rights, and compliance with our legal obligations and Company policies.
<b>Customer Transaction Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; information such as records for the use of our products or services, and the customer's instructions and requests necessary for the use of products and services.
<b>Physical Structure Security Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; information on records and documents acquired during entry to and stay in the physical structures.

<p><b>Transaction Security Information</b></p>	<p>It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; personal data processed to provide technical, administrative, legal and commercial security while carrying out business activities.</p>
<p><b>Risk Management Information</b></p>	<p>It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; personal data processed through the methods used in accordance with the generally accepted legal, commercial practice and good faith in these areas so that we can manage commercial, technical and administrative risks.</p>
<p><b>Finance Information</b></p>	<p>It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; personal data processed for information, documents and records showing all kinds of financial results created according to the type of legal relationship our company has established with the personal data owner.</p>
<p><b>Occupational Experience Information</b></p>	<p>It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; Personal data processed for the purpose of evaluating the professional experience of company employees or natural persons who have a working relationship with the Company within the scope of business activities.</p>

<b>Audio and Visual Recordings Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; photo and camera recordings (excluding recordings included in the Physical Structure Security Information) and sound recordings
<b>Health Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; special categories of personal data (e.g.; blood type information)
<b>Criminal Conviction and Security Measures Information</b>	It refers to any information relating to an identified or unidentifiable natural person, processed partially or fully automatically or non-automatically as part of a data recording system; special categories of personal data (e.g.; criminal records information)

## 5. THE PROCESSING OF PERSONAL DATA

### 5.1. Personal Data Processing Principles

We process personal data in accordance with the following principles stipulated in the Law.

#### 5.1.1. Lawful and fair processing

We process personal data in accordance with the legislation on the protection of personal data and the rules of honesty, especially the Constitution of the Republic of Turkey, with transparent methods and by fulfilling our obligation to inform.

#### 5.1.2. Ensuring personal data is accurate and kept up to date where necessary

While processing personal data, we take the necessary administrative and technical measures to ensure that it is accurate and up-to-date.

### **5.1.3. Processing for specified, explicit and legitimate purposes**

We clearly state the purposes of processing personal data, and we process our activities in accordance with the legislation and within the scope of our legitimate purposes determined to continue within the framework required by the ordinary course of life.

### **5.1.4. Being relevant, limited and proportionate to the purposes for which they are processed**

We collect personal data only in the quality and extent required by business activities, and we process it in connection with the determined purposes, in a limited and measured manner.

### **5.1.5. Being stored for the period laid down by relevant legislation or the period required for the purpose for which the personal data are processed**

Many regulations in the legislation require personal data to be kept for a certain period of time. In this context, we first determine whether a period is foreseen for the storage of personal data in the relevant legislation. If a legal period is set, we act accordingly. If there is no specified legal period, we keep personal data for as long as necessary for the purpose for which they are processed. We delete, destroy or anonymize personal data in the event that the storage period stipulated in the legislation expires or the purpose of processing disappears.

## **5.2. Conditions for Processing Personal Data**

The explicit consent of the data subject is only one of the legal bases that makes it possible to process personal data in accordance with the law. Apart from explicit consent, personal data may also be processed in the presence of one of the other conditions listed below. The basis of the personal data processing activity can be only one of the conditions stated below, or more. In case the processed data falls under a special category; the conditions set out in the 5.3 title (“Conditions for the Processing of Special Categories of Personal Data”) under this section will be applied.

### **5.2.1. Personal Data must be processed with explicit consent of the data**

One of the conditions to process personal data is the explicit consent of the data subject. The explicit consent is identified under the PPD as “*the freely given, specific and informed consent*”.

Personal data may be processed without seeking the explicit consent of the data subject only in cases where the following personal data processing conditions are met.



### **5.2.2. It is expressly provided for by the laws**

Personal data of the Data Subject may be processed in compliance in cases where it is expressly provided for by the laws (e.g. keeping the records of employee personal data as per the law).

### **5.2.3. Being unable to take the explicit consent of the data subject due to the physical disability**

In cases where 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, personal data may be processed without seeking explicit consent (e.g. location information of the kidnapped or missing person).

### **5.2.4. Being directly related to the establishment or performance of the contract**

Provided that it is directly related to the establishment or performance of the contract, in cases where processing of personal data of the parties of a contract is necessary, personal data may be processed without seeking explicit consent (e.g. For example, saving the address information of the customer company so that the order can be delivered to the customer).

### **5.2.5. Being necessary for compliance with a legal obligation**

Personal data necessary for compliance with a legal obligation may be processed without seeking explicit consent of the Data Subject (e.g. fulfilling legal obligations such as information storage, reporting, and information stipulated by official institutions and authorities; sharing information in audits specific to areas such as banking, energy, capital markets).

### **5.2.6. It have been made public by the Data Subject himself/ herself**

Personal data have been disclosed, or with other words made public by the Data Subject himself/herself may be processed without seeking explicit consent (e.g. a person who wants to sell his/her house may include his/ her contact information in the sales advertisement).

### **5.2.7. Being necessary for the establishment, exercise or protection of a right**

In cases where it is necessary for establishment, exercise or protection of a right, personal data may be processed without seeking explicit consent (e.g. keeping necessary information about an employee who has left the job during the statute of limitations).

### 5.2.8. Being necessary for the legitimate interests

Provided that it shall not violate the fundamental rights and freedoms of the data subject, in cases where processing of data is necessary for legitimate interests pursued by the data controller, personal data may be processed without seeking explicit consent (e.g. monitoring the facility with CCTV equipment in order to ensure physical structure security).

### 5.3. Conditions for Processing of Special Categories of Personal Data

Special categories of personal data will be processed in accordance with the principles set forth in this Policy, by taking all necessary administrative and technical measures, including the methods to be determined by the PDP Board, and in the presence of the following conditions:

- **Special categories of personal data except for data concerning health and sexual life**, in the cases provided by laws- in other words, if there is an explicit provision regarding the processing of personal data in the law to which the relevant activity is subject- may be processed without seeking explicit consent of the data subject.
- **Special categories of personal data concerning health and sexual life** may be processed, without seeking explicit consent of the data subject, by persons subject to secrecy obligation or competent public institutions and organizations, for the purposes of protection of public health, operation of preventive medicine, medical diagnosis, treatment and nursing services, planning and management of health-care services as well as their financing.

### 5.4. Purposes of Processing Personal Data

As Nitromak, our purposes for processing personal data are detailed in the clarification texts prepared specifically for the categories of persons for each data category we process:

- Execution of Emergency Management Processes
- Execution of Information Security Processes
- Execution of Employee Candidate / Trainee / Student Selection and Placement Processes
- Execution of Application Processes of Employee Candidates

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- Execution of Employee Satisfaction and Loyalty Processes
- Fulfilling Employment Contract and Legislative Obligations for Employees
- Execution of Allowances and Benefits Processes for Employees
- Conducting Audit / Ethical Activities
- Conducting Training Activities
- Execution of Access Authorizations
- Execution of Activities in Compliance with the Legislation
- Execution of Finance and Accounting Affairs
- Providing Physical Structure Security
- Execution of Assignment Processes
- Follow-up and Execution of Legal Affairs
- Conducting Internal Audit / Investigation / Intelligence Activities
- Execution of Communication Activities
- Planning of Human Resources Processes
- Execution / Supervision of Business Activities
- Execution of Occupational Health / Safety Activities
- Receiving and Evaluating Suggestions for Improvement of Business Processes
- Conducting Business Continuity Assurance Activities
- Execution of Logistics Activities
- Execution of Goods / Services Procurement Processes
- Execution of Goods / Services Sales Processes
- Execution of Goods / Services Production and Operation Processes
- Execution of Customer Relationship Management Processes
- Execution of Activities for Customer Satisfaction
- Organization and Event Management
- Execution of Performance Evaluation Processes
- Execution of Advertising / Campaign / Promotion Processes
- Execution of Risk Management Processes
- Execution of Contract Processes
- Follow-up of Requests / Complaints
- Ensuring the Security of Movable Property and Resources
- Execution of Supply Chain Management Processes

- Execution of Marketing Processes of Products / Services
- Ensuring the Security of Data Controller Operations
- Providing Information to Authorized Persons, Institutions and Organizations
- Execution of Management Activities
- Creating and Tracking Visitor Records

## 6. TRANSFER OF PERSONAL DATA

**As Nitromak**, we act in accordance with the regulations stipulated in Articles 8 and 9 of the PDPL and the decisions taken by the PDP Board regarding the transfer of personal data and special categories of personal data.

### 6.1. Domestic Transfer of Personal Data

Nitromak may transfer personal data to third parties in the country in a limited manner, based on one or more of the personal data processing conditions specified in Article 5 of the Law listed below, for legitimate and lawful personal data processing purposes:

- If Data Subject has provided her/his explicit consent,
- If it is expressly provided for by the laws,
- If it is necessary for the protection of life or physical integrity of the person herself/ himself or any other person, who is unable to explain his/ her consent due to the physical disability or whose consent is not deemed legally valid,
- If the transfer of personal data of the parties of a contract is necessary, provided that it is directly related to the establishment or performance of the contract,
- If the transfer of personal data is necessary for compliance with the Company's legal obligation,
- If personal data have been made public by the data subject herself/ himself,
- If the transfer of personal data is necessary for the establishment, exercise or protection of any right,

- If the transfer of personal data is necessary for the legitimate interests pursued by the Company, provided that this processing shall not violate the fundamental rights and freedoms of the data subject.

## 6.2. International Transfer of Special Categories of Personal Data

Nitromak, by showing due diligence, taking the necessary security measures and adequate measures prescribed by the PDP Board; in line with the legitimate and lawful personal data processing purposes, may transfer sensitive personal data to third parties in the country on a limited basis with regard to personal data processing conditions specified in Article 6 of the Law listed below:

- Based on the explicit consent of the Data Subject, if any,
- If the explicit consent of the Data Subject is not available;
  - **Special categories of personal data except for data concerning health and sexual life**, in the cases provided by laws- in other words, if there is an explicit provision regarding the processing of personal data in the law to which the relevant activity is subject- may be transferred without seeking explicit consent of the data subject.
  - **Special categories of personal data concerning health and sexual life may be transferred**, without seeking explicit consent of the data subject, by persons subject to secrecy obligation or competent public institutions and organizations, for the purposes of protection of public health, operation of preventive medicine, medical diagnosis, treatment and nursing services, planning and management of health-care services as well as their financing.

## 6.3. International Transfer of Personal Data

Personal data and special categories of personal data shall not be transferred abroad without explicit consent of the Data Subject.

However, personal data may be transferred abroad without explicit consent of data subject upon existence of one of the conditions referred to in the second paragraph of Article 4 and the third

paragraph of Article 6 of the Law and in cases the third party to whom the data transfer will be made:

- I. is a resident of one of the foreign countries announced by the PDP Board to provide adequate protection,
- II. is not a resident of one of the foreign countries by the PDP Board to provide adequate protection, however Nitromak and the data controller in the relevant foreign country have provided a written commitment for adequate protection and have acquired abroad transfer authorisation from the PDP Board.

The servers of several software and systems (ERP, LMS, DMS, ITSM, Fileserver, Active Directory Service and software-based loggings) used by Nitromak for business activities are located at the data center of Incitec Pivot Limited (“IPL”<sup>1</sup>) of which Nitromak is a subsidiary, and Nitromak personal data processed by Nitromak through said software and systems is transferred to IPL for execution/ supervision of business activities.

Since several applications (One Drive, Office 365, Teams, SharePoint, etc.) used by Nitromak are served by Microsoft Corporation, the personal data processed during the use of these applications can be stored using the Microsoft infrastructure located in various parts of the world. You can find detailed information about the personal data processed during the use of these applications from Microsoft's own privacy policies at the link <https://privacy.microsoft.com/tr-tr/privacystatement>.

#### **6.4. Third Parties and Purposes of Transfer**

Personal data may be transferred within the context of the rules set forth in this Policy to the person groups listed below:

1. Authorized Public Institutions and Organizations
2. Suppliers

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<sup>1</sup> Incitec Pivot Limited (“IPL”) is a holding company located in Australia, established under Australian law, registered with the Australian Securities and Investment Commission (ASIC), and Nitromak Dnx Kimya Sanayii A.Ş. is one of the companies under the holding umbrella of IPL.

## 3. Customers

## 4. Natural Persons or Private Law Entities

Recipient Groups	Description	Transfer Purpose
Authorized Public Institutions and Organizations	Refers to public institutions and organizations authorized to receive information and documents from <b>Nitromak</b> within the scope of relevant legal regulations.	Providing information to authorized persons, institutions and organizations, follow-up and execution of legal affairs, execution of activities in accordance with the legislation, execution of occupational health / safety activities, execution / supervision of business activities.
Suppliers	It refers to the parties that provide goods or services to <b>Nitromak</b> depending on the contracts concluded within the scope of <b>Nitromak's</b> business activities.	Execution of goods/service procurement processes, execution/audit of business activities, follow-up and execution of legal affairs, execution of occupational health/safety activities, planning of human resources processes, execution of finance and accounting works, execution of supply chain management processes.
Customers		Execution/supervision of business activities, execution of contract processes, execution of occupational health/safety activities.
Natural Persons or Private Law Entities	It refers to real or private law legal entities with which Nitromak has or is likely to establish a contractual relationship within the scope of its	Execution of finance and accounting works, execution of contract processes, execution/supervision of business activities, execution of communication activities, informing authorized persons, institutions and

	business activities and with which it carries out payment and other financial transactions regarding the goods/services it has supplied.	organizations, organization and event management.
Natural Persons or Private Law Entities <b>(Incitec Pivot Limited “IPL”)</b>	It is a holding company located in Australia, established under Australian law and registered with the Australian Securities and Investment Commission (ASIC), of which Nitromak is a subsidiary.	Execution/audit of business activities, execution of goods/service production and operation processes, execution of information security processes, execution of access authorizations, execution of occupational health/safety activities.

## 7. STORAGE OF PERSONAL DATA

Many regulations in the legislation require personal data to be kept for a certain period of time. Hence, we store your personal data must be stored according to the time periods set by law or related legislation as a minimum, or if there is no time set by law or related legislation, then we store your personal data for a reasonable period of time determined in connection with the purposes of processing according to our Storage and Destruction of Personal Data Policy.

In cases where we process personal data for more than one purpose and that the purposes for the processing no longer exist, personal data shall be erased, destroyed or anonymized, ex officio or if the legislation does not prevent the deletion of the data and if the data subject requests it. In matters of destruction, erasure or anonymization, the provisions of the legislation and the decisions of the KVK Board are complied with.



## 8. ERASURE, DESTRUCTION OR ANONYMIZATION OF PERSONAL DATA

Personal data is processed and stored within the scope of our processing purposes and applicable laws.

Personal data shall be erased, destroyed or anonymized in accordance with the Law, the Regulation on the Erasure, Destruction or Anonymization of Personal Data and the provisions of the relevant legislation;

- if our processing purposes are completely terminated or
- upon the request of the relevant Person.

The erasure, destruction and anonymization processes in question are made within the scope of our Personal Data Storage and Destruction Policy, without prejudice to the provisions of the relevant legislation.

While your personal data is being erased, destroyed or anonymized, the security measures in this Policy are taken.

Records of the transactions made for the deletion, destruction or anonymization of personal data are kept for at least 3 years, without prejudice to the provisions of other laws and regulations.

Unless otherwise specified by the PDP Board, Nitromak chooses the appropriate method of erasing, destructing or anonymizing personal data. If requested by the Data Subject, the appropriate method is chosen by providing the reason.

## 9. PERSONAL DATA SECURITY

**As Nitromak;** we take all necessary technical and organizational measures according to the technological possibilities and implementation costs in line with the relevant legislation and the decisions of the PDP Board for the purposes of:

- preventing unlawful processing of personal data,
- preventing unlawful Access to personal data, and

- ensuring lawful protection of personal data.

### 9.1. Technical Measures

The technical measures taken regarding the personal data processed by **Nitromak** are listed below:

- We implement Network Security and Application Security.
- We use a Closed System Network for personal data transfers via network.
- We put security controls in place for Supply, Improvement and Maintenance of Information Technologies.
- We secure personal data stored in Cloud.
- We implement data masking as required.
- We use current Anti-Virus systems.
- We use Fire Wall.
- We monitor personal data security.
- We reduce personal data amount as much as possible.
- We backup and secure personal data.
- We implement and monitor user account management and authorization control systems.
- We use Cyber Attack detection and prevention systems.
- We have taken cyber security measures and constantly monitor effectiveness of those.
- We operate with encryption.

### 9.2. Administrative Measures

The administrative measures taken regarding the personal data processed by **Nitromak** are listed below:

- There are disciplinary regulations for employees that include data security provisions.

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- Training and awareness activities are carried out periodically on data security for employees.
- Authorization matrix is created for employees.
- Institutional policies on access, information security, use, storage and destruction have been prepared and are starting to be implemented.
- Confidentiality commitments are made.
- Authorizations of employees changing their role or quitting their job are removed in the associated field.
- We include information security provisions to the contracts being signed.
- We set policies and procedures for personal data security.
- We quickly report the issues related with personal data security.
- We take necessary security measures entry and exit to physical environments containing personal data.
- We secure physical environments containing personal data against the external risks (fire, flood, etc.).
- We secure environments containing personal data.
- We carry out and have periodical and/ or random audits.
- We identify current risks and threats.
- Protocols and procedures for special categories of personal data security have been determined and implemented.

### 9.3. Measures to be Taken in case of Unauthorized Disclosure of Personal Data

As Nitromak, we take administrative and technical measures to prevent the unlawful disclosure of personal data and update them in accordance with our relevant policies and procedures. In case the data processed are obtained by others by unlawful means, this breach shall be communicated to the Data Subject and PDP Board within the shortest time as per the Article 12 of the Law. Where necessary, the Board may announce such breach at its official website or through any other way it deems appropriate.

## 10. RIGHTS OF THE DATA SUBJECT

Within the scope of our obligation to inform, we inform the Data Subject and establish the necessary systems and infrastructures for this information. We make the necessary technical and administrative arrangements for the Data Subject to exercise their rights regarding their personal data.

Data Subject have the rights listed below regarding their personal data:

- Learn whether their personal data is processed,
- Request information if their personal data has been processed,
- Learn the purpose of processing personal data and whether their data is used in accordance with that purpose,
- Know the third parties to whom their personal data is transferred, in Turkey or in abroad,
- Request correction of their personal data if it is incomplete or incorrectly processed,
- Request deletion or destruction of their personal data in the event that the reasons for the processing no longer exist,
- Request the reporting of the above-mentioned activities of deletion or destruction to third parties to whom their personal data have been transferred,
- Object the occurrence of a result against the person themselves by analyzing the data processed solely through automated systems,

- Claim compensation for the damage arising from unlawful processing of their personal data.

### 10.1. Exercise of Rights Regarding Personal Data

You may submit your applications and requests regarding your personal data to **Nitromak**, if you wish, by completing the Data Subject Application form on Nitromak's website (<http://www.nitromak.com/basvuru-formu>), and;

- By sending it through a notary,
- By applying in person in writing with a valid identity document to Nitromak's address of "Via Flat İş Merkezi Beştepeliler Mah. Nergis Sokak No:7/2 Ofis No:52 Söğütözü Yenimahalle Ankara",
- By sending it to Nitromak's registered electronic mail (KEP) address of [nitromak@hs03.kep.tr](mailto:nitromak@hs03.kep.tr), using a registered electronic mail (KEP) address and secure electronic signature or mobile signature.

Pursuant to the Communiqué on the Procedures and Principles of Application to the Data Controller, the following information must be included in the application of the Data Subject;

- Name, surname, and signature if the application is written,
- For citizens of the Republic of Turkey- the Turkish id number; for foreigners- the nationality and the passport number or if any, the id number,
- Domicile or workplace address for notification,
- If available, the e-mail address, telephone, and fax number for notification,
- The subject of the request

The Data Subject must clearly and comprehensibly state their request in the application which is to be made to exercise their above-mentioned rights and which includes required explanation about the right in subject. Related Information and documents must be attached to the application.

The subject of the request must be related in person to the applicant. However, if the applicant is acting on behalf of someone else, then the applicant must be specifically authorized in this regard and this authority must be documented (power of attorney). In addition, the application must

contain identity and address information, and documents confirming identity must be attached to the application.

Requests made by unauthorized third parties on behalf of someone else will not be considered.

## **10.2. Evaluation of the Application**

### **10.2.1. Conclusion Period for your Application**

Your requests regarding your personal data, pursuant to Article 6 of the Communiqué on Application Procedures and Principles to the Data Controller, shall be concluded as soon as possible and within 30 days at the latest from the date they reach to our party and free of charge. However, if the action requires an extra cost, fees may be charged pursuant to Article 7 of the Communiqué.

If your request is accepted or rejected by explaining the reason, our reply will be sent to the address you specified in the application, primarily by postal or e-mail, if possible, in the same way your request was delivered.

### **10.2.2. Our Right to Reject the Application**

Applications regarding personal data may be rejected in the following cases, including but not limited to:

- Processing personal data for purposes such as research, planning and statistics by making them anonymous with official statistics,
- Processing personal data for art, history, literature or scientific purposes or within the scope of freedom of expression, provided that it does not violate the privacy or personal rights of the Data Subject or constitute a crime,
- Processing of personal data made public by the Relevant Person,
- The application not to be based on a just cause,
- The application to contain a request contrary to the relevant legislation,

- Failure to comply with the application procedure.

### **10.2.3. Right to Lodge a Complaint to the Board**

If the request is refused, the response is found insufficient or the request is not responded within the specified time period, the data subject may lodge a complaint with the Board within thirty days as of they learn about the response of the data controller, or within sixty days as of the request date, in any case.

## **11. THE ISSUE AND RETENTION OF THE POLICY**

The signed copy of the Policy shall be kept by the Company's Senior Legal Counsel and the most updated version of the Policy shall be made available on the Nitromak web address <http://www.nitromak.com>.

## **12. REVISION PERIODS**

This Policy shall be revised in case of need and when a change to current processes takes place.

## **13. ENFORCEMENT OF THE POLICY**

This Policy shall enter into force upon approval by the Company's General Manager.