

ENERJİSA ÜRETİM SANTRALLERİ A.Ş.

AND ITS AFFILIATES

(“ENERJİSA” or the “COMPANY”)

**SPECIAL CATEGORIES OF PERSONAL DATA PROTECTION AND PROCESSING
POLICY**

(“SPECIAL CATEGORY PDP POLICY”)

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1. PURPOSE AND SCOPE

Enerjisa, which has always placed utmost importance on compliance with the legal order, establishes systems to ensure that all necessary activities are carried out in compliance with legislation concerning the processing and protection of personal data.

This Special Category PDP Policy sets forth the principles adopted by the Company regarding the protection of special categories of personal data. This Policy does not apply to personal data that do not qualify as special categories.

In line with the importance the Company places on the protection of personal data, this Special Category PDP Policy defines the fundamental principles regarding the processing and protection of special categories of personal data alongside other Company policies that ensure compliance with the provisions of the Law on the Protection of Personal Data No. 6698 ("PDP Law"). The implementation of the provisions of this Policy shall ensure the sustainability of the data security principles adopted by the Company.

This Policy applies to both Company employees and other natural persons whose special categories of personal data are processed by the Company, whether such processing is carried out by automated means or by non-automated means provided that they form part of a data recording system.

2. OBJECTIVE

The objective of this Special Category PDP Policy is to establish the necessary structure to ensure lawful processing and protection of special categories of personal data within the Company, and to raise awareness on this matter.

Accordingly, the Special Category PDP Policy aims to serve as guidance for implementing the provisions set forth under the PDP Law and related regulations.

3. DEFINITIONS

Key terms used in the Special Category PDP Policy are defined as follows:

Explicit Consent	Consent that is given on a specific subject, based on information and expressed with free will.
Employee(s)	Company Employee(s)
Employee PDP Policy	The "Company Employees Personal Data Protection and Processing Policy" regulating the principles regarding the protection and processing of Company employees' personal data.
Personal Health Data	Any information relating to the physical and mental health of an identified or identifiable natural person and any information regarding healthcare services provided to such individual.

Personal Data	Any information relating to an identified or identifiable natural person.
Personal Data Subject	The natural person whose personal data are processed.
Personal Data Protection Committee:	The committee established within the Company to ensure, preserve, and maintain compliance with personal data protection legislation and to ensure coordination in this regard.
Processing of Personal Data:	Any operation performed on personal data, wholly or partly by automated means or by non-automated means provided that they form part of a data recording system, such as collection, recording, storage, preservation, alteration, reorganization, disclosure, transfer, acquisition, making available, classification, or prevention of use.
PDP Law	Law No. 6698 on the Protection of Personal Data, published in the Resmi Gazete dated 7 April 2016 and numbered 29677.
PDP Board	The Personal Data Protection Board.
PDP Authority:	The Personal Data Protection Authority.
Special Categories of Personal Data:	Data relating to race, ethnic origin, political opinions, philosophical beliefs, religion, sect or other beliefs, appearance and attire, membership in associations, foundations or trade unions, health, sexual life, criminal convictions and security measures, as well as biometric and genetic data.
Company	Refers to Enerjisa Üretim Santralleri Anonim Şirketi and its affiliates.
Company Business Partners:	Parties with whom the Company establishes business partnerships for various purposes in the course of its commercial activities.
Company Personal Data Retention and Disposal Policy:	The "Company Personal Data Retention and Disposal Policy" created by the Company in accordance with the Regulation on the Deletion, Destruction, and Anonymization of Personal Data, serving as a basis for determining the maximum period of data retention and procedures for deletion, destruction, and anonymization.
Company PDP Policy:	The Company's Personal Data Protection and Processing Policy.

Company Suppliers:	Parties providing services to the Company based on a contractual relationship.
Company Data Subject Application Form:	The application form that data subjects may use to exercise their rights under Article 11 of the PDP Law.
Sabancı Group Companies / Group Companies:	All companies that are part of the Sabancı Group.
Data Processor:	A natural or legal person who processes personal data on behalf of the data controller, based on the authority granted by the data controller.
Data Controller:	A natural or legal person who determines the purposes and means of processing personal data and is responsible for establishing and managing the data recording system.
Data Controllers Registry:	The publicly accessible Data Controllers Registry maintained by the PDP Authority under the supervision of the PDP Board.

4. ROLES AND RESPONSIBILITIES

All bodies and departments of the Company are responsible for ensuring compliance with the Special Category Personal Data Protection Policy and cooperating with the Personal Data Protection Committee.

The processes related to the protection and processing of special categories of personal data shall be carried out by the Information Technologies and Human & Culture departments. Particularly the Human & Culture and Information Technologies departments, and all other departments and bodies of the Company that process personal data, are directly responsible for ensuring compliance with this Policy, fulfilling the obligations outlined herein, and implementing the required measures.

The Legal Affairs Department shall act as an advisor, consultant, and guide in the execution of these processes.

5. FUNDAMENTAL PRINCIPLES OF THE SPECIAL CATEGORY PDP POLICY

5.1. CATEGORIES OF DATA SUBJECTS GOVERNED BY THE SPECIAL CATEGORY PDP POLICY

The following data subject groups fall within the scope of this Policy, and their special category personal data are processed by the Company:

- Company Employees:

Individuals with whom the Company has entered into an employment contract.

- Interns:

Individuals who are working at the Company as interns.

- Employee Candidates:

Individuals who are evaluated by the Company for potential employment but have not yet been contracted.

- Representatives and Employees of Business Partners:

Real persons who are representatives, shareholders, or employees of the Company's business partners, suppliers, and other entities engaged in commercial relationships with the Company.

- Other Natural Persons:

All natural persons not covered under the Company Employee PDP Policy.

5.2. INFORMATION OF DATA SUBJECTS DURING THE COLLECTION OF SPECIAL CATEGORY PERSONAL DATA

Pursuant to Article 10 of the PDP Law, data subjects must be informed by data controllers or authorized persons during the collection of personal data. The Company fulfills this obligation by informing data subjects at minimum regarding:

a) The identity of the data controller and, if applicable, its representative,

b) The purposes for which the personal data will be processed,

c) To whom and for what purposes the processed personal data may be transferred,

ç) The method and legal grounds of collecting personal data,

d) The rights granted to data subjects under Article 11 of the Law and how these rights can be exercised.

5.3. PURPOSES FOR PROCESSING SPECIAL CATEGORY PERSONAL DATA IN THE COURSE OF COMPANY ACTIVITIES

The Company may process special categories of personal data of data subjects for the following purposes, among others:

i) Planning of Human Resources processes,

ii) Fulfillment of obligations arising from employment contracts and applicable laws,

iii) Execution of employee satisfaction and engagement processes,

iv) Management of employee benefits and compensation processes,

v) Execution of talent/career development activities,

vi) Execution of performance evaluation processes,

vii) Execution of emergency management processes,

viii) Ensuring physical space security,

- ix) Ensuring compliance with legal regulations,
- x) Conducting and supervising business activities,
- xi) Execution of occupational health and safety activities,
- xii) Execution of audit/ethics activities,
- xiii) Execution of internal audit/investigation/intelligence activities,
- xiv) Ensuring business continuity,
- xv) If included in CVs during recruitment processes.

5.4. LEGAL GROUNDS FOR PROCESSING SPECIAL CATEGORY PERSONAL DATA

Special categories of personal data are processed by the Company in compliance with the principles outlined in this Policy, by implementing all necessary administrative and technical safeguards—including those prescribed or to be prescribed by the PDP Board—and based on the existence of at least one of the following legal grounds:

- a) The explicit consent of the data subject,
- b) Explicit stipulation in laws,
- c) The inability of the data subject to express consent due to physical impossibility or the lack of legal validity of such consent, where processing is necessary to protect the life or physical integrity of the data subject or another person,
- d) The data subject having made the personal data public, provided that the processing is consistent with the data subject's disclosure,
- e) The necessity of processing for the establishment, exercise, or protection of a right,
- f) The necessity of processing by persons under a confidentiality obligation or authorized institutions and organizations, for purposes of protecting public health, conducting preventive medicine, medical diagnosis, treatment and care services, or planning, managing, and financing healthcare services,
- g) The necessity of processing for the fulfillment of legal obligations in the fields of employment, occupational health and safety, social security, social services, and social assistance,
- h) Processing by non-profit organizations such as foundations, associations, or other formations established for political, philosophical, religious, or trade union purposes, limited to their own activities, in accordance with their statutes and applicable legislation, provided that such data are not disclosed to third parties and the processing relates to existing or former members or persons regularly in contact with such entities.

6. PRINCIPLES ADOPTED BY THE COMPANY REGARDING THE PROCESSING AND PROTECTION OF SPECIAL CATEGORIES OF PERSONAL DATA

6.1. CONDUCTING SPECIAL CATEGORY PERSONAL DATA PROCESSING ACTIVITIES IN COMPLIANCE WITH PROCESSING CONDITIONS

The Company, in the conduct of personal data processing activities, acts in compliance with the (i) fundamental principles, (ii) conditions for processing personal data, and (iii) conditions for processing special categories of personal data, as detailed in the Company PDP Policy.

6.1.1. Compliance with Conditions for Processing Special Category Personal Data

The Company places particular emphasis on the processing of special categories of personal data, which, if unlawfully processed, may lead to discrimination. In this context, before engaging in any processing activity, the Company first carefully evaluates whether the conditions for processing such data are present and ensures the existence of a lawful basis for processing.

6.2. IMPLEMENTATION OF ADEQUATE SAFEGUARDS IN THE PROCESSING OF SPECIAL CATEGORY PERSONAL DATA

In accordance with the Personal Data Protection Board's Decision dated 31/01/2018 and numbered 2018/10, the Company implements the following safeguards:

6.2.1. For employees involved in the processing of special category personal data:

- (1) Providing regular training sessions on legal regulations and secondary legislation concerning the security of special categories of personal data,
- (2) Execution of confidentiality agreements,
- (3) Clearly defining the scope and duration of authorizations granted to users with access to data,
- (4) Conducting periodic checks on authorizations,
- (5) Immediately revoking the authorizations of employees who change roles or leave the company, and ensuring the return of any allocated inventory in this regard,

6.2.2. If the environments where special categories of personal data are processed, stored and/or accessed are electronic:

- (1) Storing data using cryptographic methods,
- (2) Keeping cryptographic keys securely and in separate environments,
- (3) Securely logging all transactions performed on the data,
- (4) Continuously monitoring security updates for the environments where the data is located, conducting or having conducted necessary security tests on a regular basis, and recording test results,

(5) If access to the data is provided through software, ensuring user authorization for the software and regularly conducting or having conducted security tests on such software and recording test results,

(6) If remote access to the data is required, ensuring at least two-factor authentication,

6.2.3. If the environments where special categories of personal data are processed, stored and/or accessed are physical:

(1) Ensuring adequate security measures are taken based on the nature of the environment containing special categories of personal data (against risks such as electrical faults, fire, flooding, theft, etc.),

(2) Ensuring the physical security of these environments to prevent unauthorized entry and exit,

6.2.4. Measures to be taken in the event of unlawful disclosure of special categories of personal data:

Şirketimiz tarafından yürütülen Özel Nitelikli Kişisel Veri işleme faaliyeti kapsamındaki Özel Nitelikli Kişisel Verilerin hukuka aykırı olarak yetkisiz kimseler tarafından elde edilmesi durumunda, durum Kurul'un 24.01.2019 tarih ve 2019/10 sayılı kararına uygun biçimde Kurul'a en geç 72 (yetmiş iki) saat içerisinde bildirilecek ve ihlalden etkilenen ilgili kişilere mümkün olan en kısa süre içerisinde bilgilendirme yapılacaktır.

6.2.5. If special categories of personal data are to be transferred:

In the event that the data subject provides explicit consent, our Company may transfer special categories of personal data in accordance with the purposes of processing, the General Principles, and by taking the necessary security measures including the methods prescribed by the Board.

Personal data may be transferred for the above-mentioned purposes to the extent required by business processes and in accordance with the processing conditions required by legislation, the general principles, and the provisions on data transfer specified in Articles 8 and 9 of the Law, and by taking the necessary security measures including the methods prescribed by the Board. Such data may also be stored in servers and electronic environments used in this context.

Special categories of personal data may be transferred to Third Parties in the presence of the following conditions:

a) The explicit consent of the data subject,

b) It is explicitly provided for by laws,

c) It is necessary to protect the life or physical integrity of the data subject or another person, who is unable to express their consent due to actual impossibility or whose consent is not legally valid,

- c) The personal data has been made public by the data subject and the transfer is in line with the data subject's intention,
- d) The transfer is necessary for the establishment, exercise or protection of a legal right,
- e) The transfer is necessary for the protection of public health, preventive medicine, medical diagnosis, treatment and care services, and the planning, management and financing of health services, provided that the data is processed by persons or authorized institutions and organizations under the obligation of confidentiality,
- f) The transfer is necessary for the fulfillment of obligations in the field of employment, occupational health and safety, social security, social services, and social assistance,
- g) Provided that it is limited to the activity fields and not disclosed to third parties, the data is processed by foundations, associations, or other non-profit organizations established for political, philosophical, religious, or trade-union purposes, in accordance with their legislation and purposes, and for their current or former members or persons in regular contact with such organizations.

The nature of such transfers and the parties with whom the data is shared depend on the type and nature of the relationship between the data subject and the Company, the purpose of the transfer, and the relevant legal basis. In this context, the measures, principles, and procedures adopted within the Company's policies shall apply.

- (1) If the data needs to be transferred via e-mail, it must be transferred in an encrypted form via corporate e-mail address or using a Registered Electronic Mail (KEP) account,
- (2) If the data needs to be transferred via portable media such as USB drives, CDs, or DVDs, it must be encrypted using cryptographic methods, and the cryptographic key must be stored in a separate environment,
- (3) If transfer is to be made between servers in different physical environments, it must be carried out via VPN or sFTP method,
- (4) If the data needs to be transferred in paper format, necessary precautions must be taken against risks such as theft, loss, or unauthorized viewing, and the document must be sent in a "classified document" format,

7. REVIEW

Implementation rules that will specify how the issues outlined in this Policy will be carried out in specific matters will be arranged in the form of Procedures.

This Policy shall be reviewed at least once a year and updated if necessary.

In the event of any inconsistency between the applicable legislation on the protection and processing of personal data and the Special Categories of Personal Data Protection Policy, the Company acknowledges that the provisions of the legislation in force shall prevail.

The Special Categories of Personal Data Protection Policy is published on the Company's website (www.enerjisauretim.com) and is accessible to data subjects. Any amendments to the Policy, in parallel with any changes or updates in the relevant legislation, shall also be made accessible to data subjects in a manner that allows for easy access.

This Policy may not be copied or distributed without the prior written consent of the Company.