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# **TURKISH MAARIF FOUNDATION CLARIFICATION TEXT AND EXPLANATIONS ON DATA PROTECTION**

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It is essential and compulsory to process and retain personal data and/or special category of personal data in accordance with Law No. 6698 on the Protection of Personal Data (hereinafter shall be referred to as “PDP Law” or “Law”). Therefore we, as TURKISH MAARIF FOUNDATION (hereinafter shall be referred to as “MAARIF FOUNDATION” or “Foundation”), act in accordance with PDP Law regarding the protection, retention and processing of your personal data and/or special category of personal data.

We frequently receive data from you on the Internet. Your personal data and/or special category of personal data collected and recorded during your visit to our website are processed in accordance with the Law on the Protection of Personal Data. In this context; MAARIF FOUNDATION, acting as the data controller, collects and retains your data within legal limits. We would also like to point out that all personal data and/or special category of personal data received during your visit to our website are protected within the framework of our Privacy Policy. You can review our Privacy Policy (LINK WILL BE PROVIDED), which you can find on our page on this subject.

This clarification text has been prepared by MAARIF FOUNDATION, acting as the data controller, within the scope of Article 10 of Law No. 6698 on the Protection of Personal Data and Communiqué on Principles and Procedures to Be Followed in Fulfillment of The Obligation to Inform.

## **1. WHAT IS PERSONAL DATA?**

Personal data is defined in Law No. 6698 on the Protection of Personal Data as “any information relating to an identified or identifiable natural person”. As is understood from the definition, any information that makes you identifiable is considered as personal data. In addition, 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 data are deemed to be special categories of personal data.

## 2. LEGAL GROUNDS

Law No. 6698 on the Protection of Personal Data stipulates that the persons concerned whose data is processed should be duly informed before data processing activity. This issue, which is referred to in Article 10 of Personal Data Protection Law as the Obligation of Data Controller to Inform, is governed in the law as *“At the time when personal data are obtained, the data controller or the person authorized by it is obliged to inform the data owners about the identity of the data controller and of its representative, if any, the purpose of processing of personal data, to whom and for which purposes the processed personal data may be transferred, the method and legal basis of collection of personal data and other rights referred to in Article 11.”*

Data Controller is defined in Article 3 of this Law as *“the natural or legal persons who determine the purposes and means of processing personal data and is responsible for the establishment and management of the data filing system.”* Data Processor is also defined as *“the natural or legal person who processes personal data on behalf of the data controller upon its authorization.”* In this context, Data Controller is the MAARIF FOUNDATION whose website you visited. Detailed information of the Data Controller is as follows.

**Data Controller** : TURKISH MAARIF FOUNDATION  
**Adres** : ALTUNİZADE MAHALLESİ ORD. PROF. DR. FAHRETTİN KERİM  
KERİM GÖKAY CADDESİ ERDEM SOKAK NO: 5 ÜSKÜDAR / İSTANBUL  
**Tel** : +90 216 323 35 35  
**E-mail** : iletisim@turkiyemaarif.org

## 3. THE SCOPE OF OBLIGATION TO INFORM OF MAARIF FOUNDATION, ACTING AS THE DATA CONTROLLER

In accordance with the issues explained above, Data Controller is MAARIF FOUNDATION. For the purpose of this Clarification Text; MAARIF FOUNDATION, acting as the Data Controller, informs you about and clarifies the issues like by whom and for what purpose can personal data be processed, to whom and for which purposes the processed personal data may be transferred, the method and legal basis of collection of personal data and the rights of the data owner regarding the protection of personal data.

## 4. PURPOSE OF PROCESSING YOUR DATA BY MAARIF FOUNDATION

Your personal data is processed within the limits stipulated by Law No. 6698 on the Protection of Personal Data and based on the principles of the law. Data processing purposes that we, as MAARIF FOUNDATION, have determined within the framework of the legislation are as follows:

- To improve the quality of products and services offered to you,
- to inform you quickly about the innovations, products and services offered by MAARIF FOUNDATION,
- To identify personal needs and exclusive purposes of use and to be able to offer specific goods and services to our customers in this context,
- To be able to carry out the commercial activities of MAARIF FOUNDATION and to perform it fully for you in this context,
- to inform you about our changing and developing products and services and to provide clarification, when necessary,
- To ensure that you benefit from the products and services offered by our foundation in the best way possible,
- As MAARIF FOUNDATION, to be able to establish business partnerships and develop strategies, to place them on a secure basis, to take the right decisions in our commercial policies and administrative functioning,
- to establish our corporate identity on solid foundations and to ensure corporate functioning,
- To achieve the goals of our in-foundation policies and thus to maximize the satisfaction of our customers,
- to ensure information security,
- As MAARIF FOUNDATION, to develop the goods and services offered over the internet,
- to quickly resolve the problems experienced,
- To be able to communicate with those who have submitted requests and complaints to MAARIF FOUNDATION, and
- To ensure compliance with the provisions of the Privacy Policy (LINK WILL BE PROVIDED) on our website.

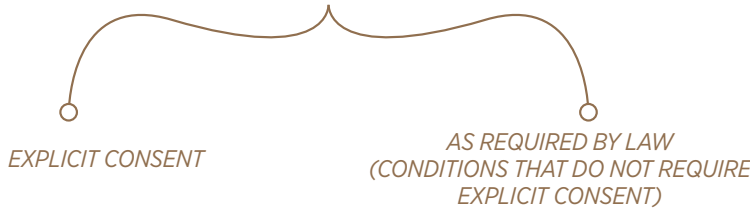
## **5. PRINCIPLES ON THE PROCESSING OF YOUR DATA**

We, as MAARIF FOUNDATION, adopted the principle to retain your personal data as long as required for the purpose of processing or for the period stipulated in the relevant legislation;

- a. To process data in accordance with the law;
- b. To keep the data up to date;
- c. To act in accordance with the rules of honesty;
- d. To ensure that data is not used for purposes other than intended for processing;
- e. To ensure that data is processed limited to and in proportion to the intended purpose of processing;
- f. To process data in accordance with general morals, customs and traditions;
- g. To process data in accordance with the provisions of all relevant legislation, particularly the provisions of Law No. 6698 on the Protection of Personal Data.

## 6- DATA PROCESSING PROCEDURE

A) YOUR PERSONAL DATA MAY BE PROCESSED BY MAARIF FOUNDATION IN TWO CASES. THESE TWO CASES ARE AS FOLLOWS:



### B) CONDITIONS THAT DO NOT REQUIRE EXPLICIT CONSENT

Law No. 6698 on the Protection of Personal Data stipulates that personal data may be processed without seeking the explicit consent of the data owner in certain cases. The cases specified in the second paragraph of Article 5 of the Law are as follows:

- when it is expressly provided for by the legislation.
- when 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.
- when processing 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.
- when it is necessary for compliance with a legal obligation to which the data controller is subject.
- when personal data have been made public by the data owner himself/herself.
- when data processing is necessary for the establishment, exercise or protection of any right.
- when processing of data is necessary for the legitimate interests pursued by the data controller, provided that this processing shall not violate the fundamental rights and freedoms of the data owner.

MAARIF FOUNDATION will have the right to process your data without seeking your explicit consent in cases where one of the above-mentioned conditions is met.

We reserve the right to process your special category of personal data other than your health information and information about your sexual life without seeking your explicit consent, in cases stipulated by law. Personal data on health and sexual life may only be processed without seeking your explicit consent by authorized institutions and organizations and persons under the obligation to keep secrets only for purposes to protect public health, to carry out preventive medicine, medical diagnosis, treatment and care services and to plan and manage health services and their financing.

## **7. METHOD AND LEGAL GROUNDS OF COLLECTING YOUR PERSONAL DATA 7. METH- OD AND LEGAL GROUNDS OF COLLECTING YOUR PERSONAL DATA**

Considering developing and changing technological conditions, our foundation collects data through different channels. Our website is one of the areas where we automatically collect your personal data.

Personal data and/or special category of personal data collected by MAARIF FOUNDATION through the website are processed based on one or more of the legal grounds specified in Articles 5 and 6 of Law No. 6698 or upon receiving explicit consent of the data owner. We would like to further confirm that necessary information regarding the purpose of processing of personal data, to whom and for which purposes the processed personal data may be transferred, the method and legal basis of collection of personal data and other rights of the Data Owners is provided to the person concerned in accordance with the category and type of the processed data and explicit consent of the data owners is obtained where necessary.

## **8. TRANSFER AND PROTECTION OF DATA**

### ***A) TRANSFER of DATA***

Your personal data is transferred to third parties, when necessary, in accordance with the terms of our confidentiality agreements and pursuant to Law No. 6698 on the Protection of Personal Data. Clarification Text submitted to the Data Owner before the data is collected incorporates a detailed explanation about to whom and for which purposes the processed personal data may be transferred. However, under all circumstances, MAARIF FOUNDATION acts in accordance with Articles 8 and 9 of Law No. 6698 while transferring data. In addition, necessary technical and administrative measures are also taken.

### ***B) PROTECTION OF PERSONAL DATA***

Law No. 6698 on the Protection of Personal Data mainly aims to protect and prevent unauthorized transfer of personal data. In order to prevent the transfer of data to unauthorized third parties, we, as MAARIF FOUNDATION, take all necessary technical and administrative measures, primarily to ensure compliance with the provisions of the relevant law. In this context, we particularly ensure our in-foundation policies comply with the Law on the Protection of Personal Data and we have all kinds of technical software and hardware for the protection of personal data. In order to achieve all these targets, we try to prevent both our employees within the foundation and the third parties with whom we do business from acting against our Privacy Policy (LINK WILL BE PROVIDED).

## **9. RIGHTS OF THE DATA OWNER CONCERNED**

### *A) GENERAL INFORMATION ABOUT THE APPLICATION*

Article 11 of Law No. 6698 on the Protection of Personal Data regulates the rights of the data owner. In the relevant article of the law, data owner is defined as the “person concerned” and s/he is granted the right to make some requests regarding the processing of his/her data. In accordance with this article, each person concerned has the right:

- to learn whether his/her personal data are processed or not,
- to demand information as to whether his/her personal data have been processed,
- to learn the purpose of the processing of his/her personal data and whether these personal data are used in compliance with the purpose,
- to know the third parties to whom his/her personal data are transferred in country or abroad,
- to request the rectification of the incomplete or inaccurate data, if any,
- to request the erasure, destruction or anonymization of his/her personal data under the conditions referred to in Article 7 of the Law titled “Erasure, Destruction or Anonymization of Personal Data”,
- to request notification of the operations such as correction of incomplete or incorrectly processed data or erasure or destruction of data in question upon the request of the person concerned to third parties to whom his/her 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,
- to claim compensation for the damage encountered due to the unlawful processing of his/her personal data.

You may submit your requests regarding your above-mentioned rights arising from the Personal Data Protection Law to our foundation within the framework of the procedure specified in this Clarification Text. Your requests will be replied by MAARIF FOUNDATION as soon as possible or within thirty days at the latest. Applications should be filed by the data owner him/herself. MAARIF FOUNDATION will only consider the applications filed by the data owner and will share information about the applicant.

### *B) APPLICATION PROCEDURE*

You may submit your requests regarding your above-mentioned rights to MAARIF FOUNDATION, acting as the Data Controller, in writing or via registered electronic mail (RM) address, by using secure electronic signature, mobile signature or using your e-mail address electronically notified to the data controller by the data owner and registered in

the data controller's system. To exercise your rights regarding personal data, you may review the clarification texts on our website and use the "Information Request Form pursuant to Law No. 6698 on the Protection of Personal Data" (LINK WILL BE PROVIDED) on our website.

### *C) INFORMATION REQUIRED DURING THE APPLICATION*

Information to be included in your application are as follows:

<i>Name and Surname:</i>
<i>Republic of Turkey Your Personal ID Number:</i>
<i>Your Nationality, Passport Number or Identity Number, if any, if you are a foreign national</i>
<i>Your wet signature at the bottom of the request form, if the application is filed in writing</i>
<i>Content of Your Request in accordance with Article 11 of PDP</i>
<i>Telephone and Fax Number(s) By Which We Can Contact You,</i>
<i>E-Mail Address by Which We Can Contact You</i>
<i>Residential or Workplace Address for Notification</i>

### *INFORMATION REQUIRED DURING THE APPLICATION*

**Data Controller** : TURKISH MAARIF FOUNDATION  
**Address** : ALTUNIZADE MAHALLESİ ORD. PROF. DR. FAHRETTİN KERİM  
KERİM GÖKAY CADDESİ ERDEM SOKAK NO: 5 ÜSKÜDAR / İSTANBUL  
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