

LOCAL DE-CIX TERMS AND CONDITIONS (TURKEY)

1. Scope

These Special DE-CIX Terms and Conditions of Business, Turkey ("DE-CIX Terms and Conditions Turkey") of the DE-CIX group company shown on the cover sheet of the DE-CIX Agreement ("DE-CIX") are an integral part of the DE-CIX Agreement between the parties.

2. Personal Data Protection

2.1. Purpose

Provisions contained herein are intended to determine the rights and obligations of DE-CIX İstanbul Ağ Bağlantıları Limited Şirketi ("DE-CIX İstanbul") and the customers in relation to the processing of personal data transferred between the parties for the purpose of their business relationship, and to protect the fundamental rights and freedoms of the data subjects, security of such data as required by the Personal Data Protection Law numbered 6698 (the "PDPL") and related regulations.

2.2. Processing in Compliance with the Law and Related Regulations

The parties undertake that they shall process personal data in compliance with all the procedures and principles stipulated under the related regulations and administrative decisions, in particular the PDPL.

2.3. Limited Use for the Purpose of Processing

Personal data may exclusively be processed within the scope of business relationship on which Parties agree and limited for such purpose. Personal data processing in any manner other than the specified purpose is not allowed unless otherwise determined between the parties in writing.

2.4. Obligation to Inform and Obtain Explicit Consent

Personal data pertaining to executives/employees of the parties may be transferred between the parties, verbally or in writing, in an electronic environment and by another way due to business relationship.

DE-CIX İstanbul shall keep such personal data in its own possession, however, may also transfer such personal data abroad to other DE-CIX group companies.

The customer is obliged to inform in writing its executives/employees whose data will be transferred to DE-CIX İstanbul through the information text of Annex-1 as attached hereto and the customer acknowledges and declares that it will obtain explicit written consent from its executives/employees in relation to cross-border transfer of their personal data.

2.5. Data Security

The parties shall take all necessary technical and administrative measures stipulated under the PDPL and related regulations in order to prevent personal data to be processed unlawfully either by its own personnel or third parties and/or such data from being accessed unlawfully. The parties acknowledges and declares that the measures, which will be taken shall in no case be less than the measures that would have been taken by a prudent merchant, who operates in similar areas, for securing personal data kept pursuant to the legislation in force or in its own possession.

2.6. Retention and Destruction of Personal Data

The parties undertake that they shall keep personal data for the retention period required in order to execute their business relationship other than those falling under the compulsory situations prescribed under the related regulations, and forthwith delete, destroy or anonymize (destruct) such data upon the expiry of the said period and/or at the completion of the processing purposes of personal data as prescribed by the PDPL and related regulations. In case of legal requirements, the parties may retain personal data to the extent legally required.

2.7. Liability and Indemnification

In the event of any damages suffered by DE-CIX Istanbul, legal, administrative or criminal sanctions being imposed on DE-CIX Istanbul or DE-CIX Istanbul being obliged to retrieve any loss due to the reasons caused by the customer, including the violation of the provisions of these DE-CIX Terms and Conditions Turkey by the customer, recourse shall be taken against the customer for such amounts, that shall be paid to DE-CIX Istanbul together with its all accessory claims on the first demand.

3. Severability clause

If a provision in these DE-CIX Terms and Conditions Turkey or other contractual provision is or becomes invalid, this will not affect the validity of the remaining

provisions or agreements. That will not apply if compliance with the contract would constitute an intolerable hardship for one of the parties to it.

4. Governing Law and Jurisdiction

These DE-CIX Terms and Conditions Turkey shall be subject to and construed in accordance with the laws of the Republic of Turkey. Istanbul Courts and Execution Offices shall have jurisdiction for any disputes arising out of or in connection with these DE-CIX Terms and Conditions Turkey.

5. Governing Language

In case of any discrepancies between Turkish and English version of these DE-CIX Terms and Conditions Turkey, the Turkish version shall prevail.

ANNEX-1

**INFORMATIVE TEXT ON PROCESSING
OF PERSONAL DATA**

**(CUSTOMERS' EXECUTIVES /
EMPLOYEES)**

We care about protecting the personal data, and when processing personal data, we try to take the necessary technical and administrative measures to protect such data from unauthorized access, loss or disclosure.

As per Article 10 "Data Controller's Obligation to Inform" of the Personal Data Protection Law numbered 6698 (the "PDPL"), we would like to inform you in the most transparent way of the identity of the data controller, the method of collecting your personal data and the legal reason, for what purpose personal data will be processed, to whom and for what purpose it may be transferred, and what your rights are under Article 11 of the PDPL.

1. Identity of Data Controller

DE-CIX İstanbul Ağ Bağlantıları Limited Şirketi (hereinafter referred to as "DE-CIX İstanbul"), which is domiciled at *ITower Plaza Merkez Mah. Akar Cad. No:3 D:35 K:6, 34381 Bomonti, Şişli, İstanbul*, is data controller.

2. What Personal Data We Collect

We may collect and use different types of personal data about you as follows:

- **Identity details:** first name, last name or similar identifier, title, gender, identity card/passport details etc.
- **Contact details:** billing address, email address, phone numbers etc.)
- **Professional experience:** company, position held within the company
- **Transaction details:** details about payments and other details of services purchased

3. Purpose of Processing Personal Data

We process your personal data for the following purposes:

- To perform any and all legal obligations of DE-CIX İstanbul including the obligations for information storage, reporting and information requirements set by related legal authorities,
- To share data among DE-CIX group companies,
- To establish and manage business relationship with the customers,
- To conduct financial transactions including accounting-related activities and manage payments.

4. Transfer of Personal Data to Third Parties

Subject to the transfer conditions set forth in Article 8 and Article 9 of the PDPL and in order to fulfill the above purposes, such personal data pertaining to customers' executives/employees may be shared with or transferred to the DE-CIX group companies abroad, as well as to legally authorized public bodies and institutions such as *Information and Communication Technologies Authority (ICTA)*, auditing companies, banks, financial institutions, legal and other consultancy firms, third parties providing services if need be.

5. Method of Collecting Personal Data and Legal Reason

We use different methods to collect personal data from and about you including agreements, contact forms, business cards, written documents, communications in written or electronic forms (by post, email or phone).

Within the scope of the above purposes and conditions specified in Article 5 of the PDPL, we may collect your personal data based on the fact that the processing is mandatory for us to be able to perform our legal obligations or for our legitimate interests or that the data subject has given his explicit consent.

6. Data Retention

We only keep personal data for the retention period required in order to execute our business relationship with the customer, or for as long as necessary as prescribed under the related regulations.

7. Rights of the Data Subjects

In case you lodge an application, in your capacity as data subject and in accordance with the “*Communiqué on Procedures & Principles of the Application to Data Controllers*” about your demands concerning your rights laid down in Article 11 of the PDPL to the address of DE-CIX Istanbul, *ITower Plaza Merkez Mah. Akar Cad. No:3 D:35 K:6, 34381 Bomonti, Şişli, İstanbul*, in writing or to the email address de-cix.dataprotection@gunalcin.av.tr, providing that you have previously registered with your email address in our system, DE-CIX Istanbul will respond to your demands involved in your application depending on the nature of the demand, within thirty days at the latest and free of charge.

It is important that the personal data we hold about you is true and accurate. Please keep us informed if your personal data changes during your relationship with us.