

## **DISCLOSURE STATEMENT ON PROTECTION OF PERSONAL DATA**

Mars Sportif Tesisler İşletmeciliği A.Ş. (the “Company”) having the capacity of a “Data Controller” pursuant to the Law No 6698 on the Protection of Personal Data published in the Official Gazette no 29677 of April 07, 2016 (the “Law”) for the purpose of fulfilling its obligation to inform arising under Article 10 of the Law through this Disclosure Statement provides its members and customers with information on processing and protection of personal data and brings the following matters for the consideration of its members and customers.

This Disclosure Statement applies to all visitors using the services offered through [www.nuspa.com.tr](http://www.nuspa.com.tr) and Company (the “Visitor”) and/or all persons who benefit /request to benefit from the Services offered by the Company through physical/distance sales and/or all persons who buy products and services offered for sale by the Company (the “Buyer”) and to all personal data provided to the Company. Apart from this Disclosure Statement, you may obtain detailed information on the subject by accessing the Company’s Personal Data Protection and Privacy Policy posted on our website:

### **1. Information Provided By The Data Controller**

Our Company, acting in its capacity as a data controller, stores and processes your personal data shared with our Company during membership registration and/or sales transactions such as but not limited to name, surname, date of birth, Republic of Turkey ID No (Passport Number for foreign nationals), mobile phone number, e-mail address, gender, and if you are connected via your social media accounts the information and personal data approved to be shared through social media channels and platforms and in cases where presentation of an identity document is mandatory information and your personal data contained in documents which may be used to prove your identity such as identity card, passport and driver’s license.

The Company, during providing/offering its services, places a special importance on the confidentiality, privacy and protection of your personal data, and the Company, acting in its capacity as a data controller, will process your personal data that has been collected /to be

collected by the Company or that you have shared or will share with the Company only to the extent set out below and in the manner provided for in the Law.

## **2. Methods Of Collecting And Processing Your Personal Data**

Your personal data may be collected by the Company, in written or oral form, or audio or visual recording or audio-visual mode or in other physical or electronic media or paper-based systems, by and/or through various channels such as websites, social media accounts and platforms, mobile applications, branches/clubs, sales and marketing units, customer forms, digital marketing, agreements, applications, forms, offerings, proposals and cookies used in “websites”/internet in compliance and in accordance with the Law. Furthermore, the Company (as a Data Controller) uses surveillance camera systems to monitor activity and the venues and make video recording for security purposes as described in detail below, however these records are kept only for a temporary period of time. Your personal data which is obtained or collected by the Company, acting in its capacity as a Data Controller or by branches/clubs owned by the Company and/or associated companies or subsidiaries on behalf of the Company or through websites, in written or oral form, or audio or visual recording or audio-visual mode or in other physical or electronic media or paper-based systems may be may be recorded, stored, retained, modified to the extent and manner provided for in the Law and shared with and processed by any person deemed appropriate by and shared with and processed by any person deemed appropriate by the Company including other persons and/or relevant third persons whether natural or juridical and whether based in Turkey or in a foreign country for legal, legitimate or lawful reasons including cross-border data transfer.

## **3. Purposes And Legal Grounds For Processing Your Personal Data**

The Company, acting in its capacity as a Data Controller, stores and processes your personal data based on legal grounds pursuant to article (5/2.a) of the Law which reads as follows, “*it is explicitly provided for by the laws*” and article (5/2.c) which reads as follows, “*processing of personal data belonging to the parties of a contract, is necessary provided that it is directly related to the conclusion or fulfilment of that contract*”. In this respect, the Company, acting

in its capacity as a Data Controller stores and processes your personal data for the purposes of carrying out and completing subscription/membership procedures and/or making physical/distance sales transactions as explained in detail below;

Your personal data shall be stored and processed by the Company, within the framework of the Law No 6502 on Consumer Protection and Regulation on Distance Contracts and Regulation on Subscription Contracts and the consumer relationship between the parties for carrying out the invoicing process and accounting transactions pursuant to the Tax Procedure Law and Turkish Commercial Code No 6102 to which the Company is subject based on the legal grounds of “*being explicitly provided for by the laws*” and shall be retained until you request the erasure or destruction of your personal data and/or expiration of the legal retention period and/or when it is no longer necessary in relation to the purposes for which it was collected or otherwise processed. In addition to this, your personal data shall be stored and processed by the Company, in its capacity as a Data Controller and shall be retained until you request the erasure or destruction of your personal data and/or expiration of the legal retention period and/or when it is no longer necessary in relation to the purposes for which it was collected or otherwise processed by virtue of the fact that your personal data is directly related to the conclusion of the membership and/or distance/ physical sales agreement and performance of the services under these agreements and collection activities to be carried out within this scope and for ensuring efficiency of services, establishing the terms and conditions of the club and membership and/or amendments or modifications or renewals to be made and for activities of a similar nature and additionally for provision of information to consumers about massage, skin care and body care services purchased as a single session and/or Massage/Care Package and/or for creation and setting up personal accounts through the Website based on the legal ground pursuant to article (5.2.c) of the Law which reads as follows, “*processing of personal data belonging to the parties of a contract, is necessary provided that it is directly related to the conclusion or fulfilment of that contract*” or if a consent is obtained within the scope of the Law No 6563 on The Regulation of Electronic Commerce then for the purpose of informing members and costumers of the campaigns and opportunities or providing them with the information about the prices of services, marketing and other facilities, proposals, offerings and information as well as for the purposes such as establishing effective communication with members and customers or for the purposes of

ensuring the control of the systems through which the services are provided and for enhancing and improving these systems and preventing fraudulent, abusive or unlawful use of the services.

You may reach the detailed information on article (5/2.a) of the Law which reads as follows, “*it is explicitly provided for by the laws*” and article (5/2.c) which reads as follows, “*processing of personal data belonging to the parties of a contract, is necessary provided that it is directly related to the conclusion or fulfilment of that contract*” referred to in this article by accessing and reading our Company’s Policy on the Protection and Processing of Personal Data posted on its official website.

#### **4. Persons And/Or Entities-Organizations To Whom Your Personal Data May Be Transferred**

Persons, whether natural or juridical/entities –organizations to whom your personal data which you have shared with the Company may be transferred for the purposes set forth in the Law and this Disclosure Statement are as follows;

Any competent authority or governmental or public agency, shareholders of the Company and direct/indirect local/ foreign-international affiliates, persons and entities and organizations from whom the Company receives services/makes cooperation to carry out its activities including software program companies and providers -service business partners, banks for collection purposes and/or organizations authorized to collect on behalf of the Company and companies and other organizations either based in Turkey or abroad, and other relevant third parties with whom the Company works to carry out its collection activities.

#### **5. Use of Cookies**

Cookies are text files that are loaded by your internet browser and contain small pieces of information that are stored on your computer, mobile phone, or tablet when you visit the website. The Company shall collect, process and store your navigation information in a safe proper manner to provide visitors of the website with better services and to inform Visitors and Members of the campaigns, advantages and opportunities within the framework of its legal obligations only provided that your personal data is not used outside the scope and

purpose specified by this Disclosure Statement on Protection and Processing of Personal Data and provided for in other legislation and may be shared with third parties if and when necessary.

We may use both session cookies which are erased when you close your website browser and permanent cookies that remain on your hard disk for a long time. You may clear all cookies or data relating to your use of the website or may block or reject all cookies modifying the settings on your browser to suit your requirements. If you reject cookies by changing or modifying your browser settings you can still use the Website, however please be aware that this may disable some of the functionality and your ability to use some areas of the Website will be limited. Third party providers including Google Inc. may display the website and mobile application advertisements and commercials in the banner domains of the publisher websites on the internet with the aim of collecting information regarding advertisements and commercials as well as optimizing and publishing them based on the visitors past visits to the website and mobile applications. Accordingly, the Website and third-party providers including Google use first party cookies together with third party cookies.

## **6. Information about Surveillance Camera**

Surveillance cameras are installed in our Clubs except locker rooms, bathrooms and restrooms and image recording is performed by means of surveillance cameras in the areas deemed appropriate by the Company for security purposes.

Personal data referred to above is processed by automated means depending on the legal grounds of “it is mandatory for the data controller to be able to perform its legal obligations” as set forth in article 5 of the Law and “it is mandatory for the legitimate interests of the controller, provided that this processing shall not violate the fundamental rights and freedoms of the data subject” respectively. Said personal data may be provided to judicial authorities or law enforcement forces upon request as per the relevant legislation and in compliance with legal obligations. The Company does not handover these data and video footage and/or share with third parties for any other reason. The said personal data and footage is kept based on the available hard drive storage space of the relevant club, however in any event not stored more than 1 month and unless requested by a governmental agency and/or law enforcement

forces and at the end of this one month period shall be automatically deleted as new footage is recorded over the old footage.

## **7. Conditions Under Which Your Personal Data May Be Processed Without Seeking Your Explicit Consent Pursuant To The Law**

Under any of the following conditions, pursuant to Article 5 of the Law, the Company may process your personal data referred to above and collected or obtained in a lawful manner, without seeking your explicit consent:

- It is explicitly provided for by the laws;
- It is mandatory for the protection of life or physical integrity of the person or of any other person who is bodily incapable of giving his consent or whose consent is not deemed legally valid;
- Processing of personal data belonging to the parties of a contract, is necessary provided that it is directly related to the conclusion or fulfilment of that contract;
- It is mandatory for the Company to be able to perform his legal obligations;
- Your personal data is made available to the public by yourself;
- Data processing is mandatory for the establishment, exercise or protection of any right,
- It is mandatory for the legitimate interests of the Company, provided that this processing does not violate the fundamental rights and freedoms of the relevant data subject.

## **8. What Are Your Rights Under The Law?**

Pursuant to Article 11 of the Law, you have the right to apply to the Company and;

- a.** Learn whether your personal data has been processed;
- b.** Request information as to the processing of your personal data;
- c.** Learn the purpose of processing of your personal data and whether it is used in conformity with the purposes for what they are collected;
- d.** Request information about third parties located within the country or abroad to whom your personal data has been transferred;

- e. Request rectification and correction in the event your personal data has been processed incompletely or inaccurately;
- f. Request deletion or destruction of your data within the framework of the conditions provided for in article 7 of the PDPL;
- g. Request transactions made pursuant to subparagraphs (d) and (e) above be communicated to third parties to whom your personal data has been transferred;
- h. Raise an objection to any adverse outcome to the detriment of or against you resulting from analyzing your processed data exclusively by automated systems;
- i. Request compensation for your losses in the event you suffers or sustain any loss or damage due to the processing of your personal data in violation of the law.

Please be informed that, starting from October 07, 2016, the date on which the Regulation entered into force, you may submit your requests for exercising any of your rights within the scope of this article referred to above as well as your requests for updating or changes to your personal data through a notary public or by applying personally to the Company's head office provided that your identity is verified. Furthermore, following the announcement of the decision of the Personal Data Protection Board on other methods for submission of requests by data subjects regarding exercising any of their rights under the Law the Company will communicate how applications will be received, dealt with and responded. The Company will respond to your requests free of charge and as soon as practicably possible and in any event not later than thirty (30) days of receipt of your application depending on the nature of your request. However, in cases where the requested action requires an additional cost, you will be required to pay a fee specified in the tariff as determined by the Personal Data Protection Board pursuant to article 13 of the Law.

**MARS SPORTİF TESİSLER İŞLETMECİLİĞİ A.Ş.**

**Beşiktaş Tax Office Tax Identification No: 6120525594**

**Central Registration (Mersis) No: 0612052559400010**

**Dereboyu Cad. Ambarlıdere Yolu No: 4 Kat: 1 Ortaköy Beşiktaş/İstanbul**

**Phone No: 0212 970 19 00**

