

## PERSONAL DATA PROCESSING POLICY

This Personal Data Processing Policy (the "Policy") governs the collection, storage, use, circulation and deletion of personal data by Philippi, Prietocarrizosa, Ferrero DU & Uría S.A.S. (the "Data Controller" or "PPU COLOMBIA"), pursuant to Law 1581 of 2012 and Decree 1074 of 2015, by means of which general provisions for the protection of personal data are issued.

### 1. Controller's Information

- Corporate name: Philippi, Prietocarrizosa, Ferrero DU & Uría S.A.S.
- Domicile: Bogotá D.C., Colombia.
- Address: Cra. 9 N. 74 – 08, Office 105
- Email: cristina.rueda@ppulegal.com
- Telephone: 3268600 ext. 1437

### 2. Processing to which personal data will be subject and processing purposes

Personal data is collected, stored, organized, used, circulated, transmitted, transferred, updated, rectified, deleted, removed, and managed according to its nature and the purposes established in this Policy.

#### 2.1. Processing of public and private data.

PPU COLOMBIA has access to its clients and collaborators personal data, such as their names, identification numbers, emails, landlines and cell phones, among others. This information is collected for the following purposes:

##### 2.1.1. Purposes for the processing of Alumni's personal data:

- Send PPU COLOMBIA's commercial information.
- Send communications related with the ALUMNI event organized by PPU COLOMBIA.

##### 2.1.2. Purposes for the processing of candidates for employment personal data:

- Analysis of the candidate's information in order to begin an enrollment process.
- Contact the candidate to begin an enrollment process.
- Verify the truthfulness and authenticity of the information provided in the candidate's resume, with the entities in which the candidate has studied or worked.
- Perform the study of the candidate's housing and security conditions to determine his/her entry to PPU COLOMBIA as an employee.
- Send the candidates' personal data to allies and clients of PPU COLOMBIA that may be interested in the candidate's profile to explore possible employment relationship.

### **2.1.3. Purposes of the processing of clients' personal data:**

- Fulfillment of business obligations within the framework of contractual relationships.
- Manage and ensure compliance and delivery of products and/or services purchased by PPU COLOMBIA's clients, as well as prepare the relevant invoicing.
- Deliver advertising of PPU COLOMBIA's products and services.
- Offer products from PPU COLOMBIA's different business lines.
- Communicate discounts, promotions, and new products.
- Carry out analysis of the clients and their profiles in order to determine which products and services suit their preferences the most.
- Inform about the activities and events organized by PPU COLOMBIA.
- Conduct market and consumer habits research, statistical analysis, and client behavior reports.
- Design and offer loyalty and benefit programs for clients.
- Deliver satisfaction surveys or any other mechanisms to assess the quality of the products and services provided by PPU COLOMBIA.

### **2.1.4. Purposes for the processing of employees' personal data:**

- Comply with the Employer's labor obligations under labor laws, the employment contract, the Internal Labor Rules, such as: enrollment with the Integral Social Security System and payment of contributions, enrollment with Compensation Funds and payment of contributions, payments to DIAN of amounts withheld, issuance of income and withholdings certificates and employment certificates, and provision of information to those national entities or authorities requiring personal data, in accordance with legal provisions.
- Make any relevant payments in the bank accounts or entities expressly indicated by Employee.
- Hire life insurance and/or pay medical expenses, or grant any other benefit derived from the labor relationship with Employer, if applicable.
- Notify family members in case of emergencies during business hours or during the development of labor tasks.
- Maintain the employees' safety and health in the workplace, in accordance with the regulations applicable to the Health and Safety at the Workplace System, (hereinafter "MS-OHS") and keeping the documents indicated in article 2.2.4.6.13 of Decree 1072 of 2015.
- Inform any instructions related to the employment contract.
- Assess the Employee's work performance.
- Collect information and evidence in order to perform labor disciplinary proceedings, if applicable.
- Store personal data in the Employer's computer system.
- Circulate and consult data among those persons specified in this Section, exclusively for the purposes set forth herein.
- Use the information for procedures and documents related to the Employee and Employer's labor relationship.

#### **2.1.5. Purposes for the processing of journalists' personal data:**

- Deliver information related to transactions closings or important transactions for news purposes.
- Deliver information on events, awards, and/or activities of the firm.
- Deliver invitations to cover events, cocktails, conferences, and social and/or academic activities of the firm.
- Communicate activities from which journalists may extract material to publish interviews or opinion columns.

#### **2.1.6. Purposes of the processing to suppliers' personal:**

- Organize records of providers' information to deliver purchase orders.
- Investigate, verify, and validate the information provided by suppliers with any information that PPU COLOMBIA lawfully has, and with international lists on the commission of crimes and money laundering.
- Communicate, consolidate, organize, update, control, certificate, secure, prepare statistical reports, reporting, maintain, interact, and manage actions, information and activities related to or dealing with PPU COLOMBIA's suppliers and contractors.
- Preparation of performance and compliance reports of suppliers.

### **2.2. Sensitive data processing.**

PPU COLOMBIA may access and use employees' sensitive data such as videos, photographs, and fingerprints. Similarly, PPU COLOMBIA obtains information on its employees' health in compliance with the legal obligations on occupational health. For these purposes, PPU COLOMBIA will apply the legal provisions on the processing of sensitive data, including the following:

- a) Obtain Data Subjects' previous, explicit and informed consent, by informing the discretionary character thereof, and which specific sensitive data is being collected. This authorization will be implemented for any collection of sensitive data, except for the following cases specifically excluded by law from such statutory requirement:
  - a. The Processing is necessary to safeguard Data Subject's vital interests, whenever he/she is physically or legally disabled. In these events, Data Subject's legal representatives must grant the relevant authorization.
  - b. The Processing is carried out in the course of legitimate activities and with appropriate safeguards by a foundation, NGO, association or any other non-profit organization with political, philosophical, religious or trade union purposes, provided that it exclusively refers to its members or persons with whom they have regular contact in connection with its purpose. In these cases, the data cannot be disclosed to third parties without the Data Subject's authorization.
  - c. The Processing refers to data necessary for the establishment, exercise, or defense of a right in a judicial proceeding.

- d. The Processing has historical, statistical, or scientific purposes. In this event, the measures aimed at removing the Data Subject's identity shall be adopted.

In those cases where PPU COLOMBIA has access to sensitive data, processing will be carried out for the following purposes:

**2.2.1. Candidates and employees' health status and occupational health records:**

- Verify whether the candidate meets the physical requirements necessary to perform the position that he/she is applying or was hired for.
- Have the necessary information to attend to any medical emergency taking place while providing any services at PPU COLOMBIA's facilities.
- Comply with the health and safety standards at the workplace and implementing the MS-OHS and any other program, system, and/or plan that aims to protect the employees and people's health in the workplace.

**2.2.2. Employees' biometric data (fingerprints and photographs):**

- Identify the personnel accessing PPU COLOMBIA's facilities.
- Provide access to PPU COLOMBIA's facilities.
- Verify the employee's permanence at PPU COLOMBIA's facilities.
- Compliance with the legal obligations arising from the employment relationship, such as carrying out all the necessary proceedings for the registration of beneficiaries with the Social Security System or any other activity derived from the applicable legislation.
- Providing the relevant security while in trainings and activities carried out by PPU COLOMBIA for its employees.
- Advertise PPU COLOMBIA's employees' participation in different activities, conferences, and social events.

**2.3. Video surveillance**

PPU COLOMBIA uses several video surveillance mechanisms, installed in different places within its facilities or offices.

The information collected will be used for security purposes in connection with the people, assets, and facilities. This information may be used as evidence in any type of proceedings before any type of authority and organization. PPU COLOMBIA will implement authorizations to obtain this information, so that it complies with the legal provisions regulating the access to sensitive data.

**2.4. Children and adolescents' data processing:**

PPU COLOMBIA may process the data of children of candidates or employees that are under 18 years of age. This information is collected with authorization of the parents or persons legally authorized to do so, following the requirements provided under Colombian

data protection regulation. For this reason, data of children will be processed for the following purposes:

- Identify the candidate's children during visits and interviews performed at the candidate's house.
- Comply with the legal obligations arising from the employment relationship, such as carrying out all the necessary proceedings to register the relevant beneficiaries with authorities such as the Social Security System or for purposes of any other activity under the applicable laws.
- Communicate employees the entertainment activities organized by PPU COLOMBIA for their children.
- Communicate employees the birth of the children of PPU COLOMBIA's employees.

### **3. Transfers and Transmissions of Personal Data.**

PPU COLOMBIA transfers its clients and collaborators' data to international allies and members of its business group located in the United States, England, Spain, Peru, Chile or any other country where PPU has operations, in the development of its businesses, legal advice and the purposes indicated in section 2.1. of this Policy.

PPU COLOMBIA also transmits its clients and collaborators' personal data because several service suppliers hired by PPU COLOMBIA are located abroad. Likewise, PPU COLOMBIA stores personal data in a Cloud that has its servers located abroad. PPU COLOMBIA has implemented the necessary authorizations and transmission agreements for this purpose.

### **4. Data Subject's Rights.**

Pursuant to article 8 of Act 1581 of 2012 and Decree 1074 of 2015 (Chapter 25), the personal Data Subjects have the following rights:

- a) Access, update, and rectify their personal data stored by PPU COLOMBIA, in its capacity as Data Controller. This right may be exercised in connection with partial, inaccurate, incomplete, fractioned, misleading data, or information processing that is expressly prohibited or has not been authorized.
- b) Request proof of the authorization granted to PPU COLOMBIA, in its capacity as Data Controller, unless such authorization is expressly exempted as a requirement for the Processing, in accordance to Article 10 of Act 1581 of 2012 (or the legal provisions regulating, adding, supplementing, modifying, or repealing it) or when the continuity of the processing has taken place as provided in paragraph 4 of article 2.2.2.25.2.7 of Decree 1074 of 2015.
- c) To be informed by PPU COLOMBIA, prior request, with regard to the use given to the Data Subject's personal data;
- d) To submit complaints before the Superintendency of Industry and Commerce for any infringements to the provisions set forth in Law 1581 of 2012, once the request or claim proceeding before PPU COLOMBIA has been exhausted.
- e) To revoke the authorization and/or request for the removal of any data, whenever the Processing does not abide by the principles, rights, and constitutional and legal

safeguards. The revocation and/or removal will proceed upon the Superintendency of Industry and Commerce's determination that the Data Controller or Data Processor incurred in conducts contrary to the law and the Constitution.

- f) Have free access to its personal data.

## **5. Area responsible for requests, queries, and claims**

PPU COLOMBIA's Deontology, Conflicts of Interest, and Regulatory Compliance Area, will be responsible for attending to the requests, queries, claims, complaints or the exercise of the Personal Data Subjects' rights.

## **6. Procedure to exercise the Data Subjects' rights**

### **6.1. Access and consultation procedure**

The Data Subject or his/her successors may consult the information stored in PPU COLOMBIA's databases. The Data Subject shall deliver the corresponding request to [datospersonales@ppulegal.com](mailto:datospersonales@ppulegal.com), call telephone number (1) 3268600 ext. 1640, or submit in the request in writing at Cra. 9 N. 74 – 08, Office 105, Bogotá, from Monday to Friday between 8:00 AM to 1:00 PM or 2:00 PM to 6:00 PM.

In order to prevent unauthorized third parties from accessing Data Subjects' personal information, it will be necessary to previously ascertain the Data Subject's identification. When the request is made by a person other than the Data Subject and such person fails to demonstrate that he/she has the power to act on behalf of the Data Subject, the request will be considered as non-submitted.

The request will be attended within a maximum ten (10) business days-term counted as of the receipt date. If or any reason the request cannot be answered within such term, Data Controller will inform the reasons for the delay and will provide a new deadline to answer the request, which may not exceed five (5) additional business days.

### **6.2. Procedure to request updates, corrections, deletions, the revocation of the authorization, or to submit claims**

The Data Subject or his/her successors who believes that the information contained in PPU COLOMBIA's database should be corrected, updated, or deleted, or that notices an alleged breach of any of the duties forest forth in the law, may file a claim with PPU COLOMBIA which will be attended pursuant to the following rules, in accordance with article 15 of Act 1581 of 2012:

- a) The claim shall be submitted to [datospersonales@ppulegal.com](mailto:datospersonales@ppulegal.com) or by submitting a written communication from Monday to Friday between 8:00 AM to 1:00 PM or 2:00 PM to 6:00 PM, at Cra. 9 N 74 – 08, Office 105, of Bogotá.
- b) To prevent unauthorized third parties from accessing the Data Subject's personal information, it will be necessary to previously ascertain the Data Subject's identification. When the request is made by a person other than the Data Subject

and such person fails to demonstrate that he/she has the power to act on behalf of the Data Subject, the relevant request will be considered as non-submitted.

- c) The request shall contain the following information:
  - (i) The Data Subject's identification.
  - (ii) The contact information (physical and/or electronic address and contact telephone numbers).
  - (iii) The documents that demonstrate the Data Subject's identity or his/her agent's representation.
  - (iv) Clear and precise description of the personal data That motivated the complaint.
  - (v) A description of the facts that justify the complaint.
  - (vi) Any supporting documents.
  - (vii) The individual's signature, identification number, and fingerprint.
  - (viii) The original copy of the complaint.
- d) If the complaint is incomplete, PPU COLOMBIA will request the interested party to correct the errors within the next five (5) business days following the complaints' receipt. If the individual does not complete the complaint within the next two (2) months after the information request is sent by the Data Controller, the complaint will be discarded.
- e) If the Area receiving the claim is not competent to resolve it, it shall notify it to the competent area within a maximum two (2) business days term and inform the interested party accordingly.
- f) Once the complaint with all the required information is received, the Data Controllers will mark the personal data with the following phrase "*complaint currently under review*", and the reasons for such complaint. This legend must be placed within two (2) business day. Additionally, this legend will remain until the complaint is finally answered by the Data Controller.
- g) The complaint must be answered within fifteen (15) business days after the date in which the request is received. If for any reason the complaint cannot be answered within the legal term described above, Data Controller will inform of this situation to the individual. Additionally, Data Controller will inform the reasons for the delay and will define a new deadline to answer the request. The new deadline should be of maximum eight (8) additional days to the fifteen (15) days initially granted.

### 6.3. Deletion of Data

The Data Subject is entitled to request PPU COLOMBIA the deletion (removal) of his/her personal data, particularly when he/she:

- a) Considers that the information is not being processed in compliance with the principles, duties, and obligations provided for in Law 1581 of 2012.
- b) The data have ceased to be necessary or pertinent for the purposes for which they were collected.
- c) The period necessary to fulfill the purposes for which the data were collected has lapsed.



This deletion implies the personal information's total or partial removal from PPU COLOMBIA's records, files, databases or processing, pursuant to the Data Subject's request.

It is important to bear in mind that the deletion right is not absolute and that the Data Controller may deny the request if:

- (i) There is a legal or contractual obligation that requires Data Subject's personal data has to remain in the database.
- (ii) The data's removal may obstruct an administrative investigation or judicial proceeding related to tax obligations, criminal acts or administrative sanctions.
- (iii) Personal data is necessary to safeguard the Data Subject's legally protected interests, pursue an action aimed at protecting the public interest, or to comply with any obligation legally acquired by the Data Subject.

#### **6.4. Withdrawal of privacy consent.**

The Data Subject may revoke his/her consent to the processing of the personal data at any time, provided that no legal provision prevents him/her from doing so.

#### **7. Information Security.**

Following the security principle, PPU COLOMBIA has adopted reasonable technical, administrative, and human measures to protect the Data Subjects' information and prevent any adulteration, loss, consultation, use, or unauthorized or fraudulent access. Access to personal data is restricted to its Data Subjects and PPU COLOMBIA will not allow access to this information by third parties, except with the Data Subject's express request or that of any persons entitled to do so in accordance with the domestic legal regulations.

#### **8. Validity of the Policy.**

PPU COLOMBIA has a Processing Policy since 2013. The modifications introduced to this version were announced on May 2, 2018. Any material change to this policy will be informed through our website [www.ppulegal.com](http://www.ppulegal.com)

The term of the authorizations to process personal data is understood to be equal to that of the business relationship or employment term and for the validity of the corporate purpose of the company, except in the cases specifically excluded by law.