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**POLICIES AND PROCEDURES MANUAL ON THE TREATMENT OF PERSONAL  
DATA AND INFORMATION SECURITY IN ROCSA COLOMBIA S.A. AND ITS  
SUBSIDIARIES**

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## **POLICIES AND PROCEDURES MANUAL ON THE TREATMENT OF PERSONAL DATA AND INFORMATION SECURITY IN ROCSA COLOMBIA S.A. AND ITS SUBSIDIARIES**

### **INTRODUCTION**

ROCSA COLOMBIA S.A. and its subsidiaries with main domicile in Colombia, department of Cundinamarca and municipality of Tenjo identified with NIT. 830.027.231-3, in its capacity as responsible for the Processing of undisclosed Personal Data and privacy, through this Manual of Policies and Procedures on the Processing of Personal Data hereinafter the "Manual", complies with the provisions established by Law 1581 of 2012 and Decree 1377 of 2013 and other applicable regulations.

### **GENERAL**

Law 1581 of 2012 established the rules and principles applicable to the protection and management of personal data recorded in any database that makes them susceptible to Processing by entities of a public or private nature and consequently Decree 1377 of 2013 which regulated some aspects of that Law.

The purpose of this Law is to apply the constitutional right of all persons to know, update and rectify the information obtained about them in databases or files, and the other constitutional rights, freedoms and guarantees referred to in Article 15 of the Political Constitution of Colombia, as well as the right to information enshrined in Article 20 of the same constitutional norm.

### **DEFINITIONS**

ROCSA COLOMBIA S.A. and its subsidiaries take into account the following definitions in the Policies and Procedures Manual on Personal Data Processing:

- **Processing:** Any operation or set of operations on undisclosed personal data and privacy, such as: collection, storage, use, circulation or deletion.
- **Data Processor:** Natural or legal person, public or private, that by itself or in association with others, performs the Processing of personal data on behalf of the Data Controller.
- **Data Controller:** Natural or legal person, public or private, who by himself or in association with others, decides on the database and/or the processing of the data.
- **Public data:** Data that does not fall into the categories of semi-private, private or sensitive. Public data includes, among others, data related to the marital status of individuals, their profession or trade, and their status as merchants or public servants.

By their nature, public data may be contained, among others, in public records, public documents, official gazettes and bulletins and duly executed court rulings that are not

subject to confidentiality.

- **Sensitive data:** Sensitive data are understood as those that affect the privacy of the Data Subject or whose improper use may generate discrimination, such as those that reveal racial or ethnic origin, political orientation, religious or philosophical convictions, membership in trade unions, social organizations, human rights or that promote the interests of any political party or that guarantee the rights and guarantees of opposition political parties, as well as data related to health, sex life, and biometric data.
- **Personal Data:** Any linked information of a living, natural person, which can be associated to one or several determined or determinable persons and which can lead to their identification.
- **Authorization:** Prior, express and informed consent of the Data Subject to carry out the Processing of undisclosed personal data and privacy.
- **Data Base:** Organized set of personal data that is subject to Processing.
- **Data Subject:** Natural person whose personal data is the object of processing.
- **Privacy Notice:** Written communication issued by ROCSA COLOMBIA S.A. and its subsidiaries, by means of the document called Habeas Data Certification, addressed to the Data Subject for the Processing of his personal data, through which he is informed about the existence of the data processing policies that will be applicable, the way to access them and the purposes of the Processing that is intended to be given to personal data.
- **Transfer:** It takes place when the data controller and/or the person in charge of the processing of personal data, sends information of these to a receiver: associated, affiliated or contracted companies for the administration of processes that automate commercial and/or administrative operations, according to the data policy of the company, which in turn is responsible for the processing.
- **Transmission:** It refers to the communication of personal data, inside or outside the National territory, when its purpose is the performance of a procedure by a third party also responsible for the Data Processing.

## PRINCIPLES

**ROCSA COLOMBIA S.A. and its subsidiaries** apply the following principles in the processing of personal data:

- **Principle of legality:** The processing of personal data shall be subject to the provisions of the relevant legal provisions.
- **Principle of purpose:** The processing of personal data to which you have access and are collected, stored, purged, analyzed and updated by ROCSA COLOMBIA S.A. and its subsidiaries, will have as purpose the development of commercial and administrative operations.
- **Principle of freedom:** The processing of personal data will be carried out with the prior, express and informed consent of the Data Subject. Personal data may not be obtained or disclosed without prior authorization, or in the absence of legal, statutory, or

judicial mandate that relieves consent.

- **Principle of truthfulness or quality:** The information subject to processing shall be truthful, complete, accurate, updated, verifiable and understandable. The processing of partial, incomplete, fractioned or misleading data is prohibited.
- **Principle of transparency:** The processing of personal data shall guarantee the right of the Data Subject to obtain by official means and upon request by ROCSA COLOMBIA S.A. and its subsidiaries at any time and without restrictions, information about the data concerning him/her.
- **Principle of restricted access and circulation:** Personal data, except for public information, may not be available on the Internet or other means of dissemination or mass communication, unless access is technically controllable by ROCSA COLOMBIA S.A. and its subsidiaries, and that applies to develop commercial and administrative processes.
- **Security Principle:** The information subject to data processing by ROCSA COLOMBIA S.A. and its subsidiaries, will be handled with the technical, human and administrative measures necessary to ensure the security of the records avoiding access, consultation, adulteration, loss, which allows unauthorized or fraudulent use.
- **Principle of confidentiality:** All persons involved in the processing of personal data, which do not have the nature of public, are obliged to ensure the confidentiality of the information entrusted to them, even after the end of their relationship with any of the tasks that include the processing of data, and may only make provision or communication of personal data when it corresponds to the development of authorized activities ROCSA COLOMBIA S.A. and its subsidiaries.

## **AUTHORIZATION OF THE OWNER**

For the processing of personal data, the prior and informed authorization of the Data Subject is required, which must be obtained through the document called **Habeas Data Certification** that may be subject to subsequent consultation.

The authorization of the Holder is not required when it concerns:

- Information required by a public or administrative entity in the exercise of its legal functions or by court order.
- For the prevention, detection, monitoring and control of money laundering, financing of terrorism and financing for the proliferation of weapons of mass destruction.
- Data of a public nature.
- Cases of medical or sanitary emergency.
- Processing of information authorized by law for historical, statistical or scientific purposes.

The requested information may be provided by physical means or via e-mail in PDF format, complying with the attributes of legality, legitimacy, originality, and legibility. The information must be easy to read, without technical barriers that prevent its access.

The authorization of the Data Subject is a statement of acknowledgement of the person or entity that collects the information, the type and content of the information collected, the purpose for which it is collected and how you can exercise your rights, as the power of decision of the Data Subject on their personal data implies the recognition that their

information is subject to processing, in accordance with the legal provisions and the provisions of this Manual. ROCSA COLOMBIA S.A. and its subsidiaries adopt the measures it deems necessary to maintain and ensure the record of when and how it obtained the authorization of the Holder of the personal data.

The Data Controller, at the time of requesting the authorization to the Data Subject, shall clearly and expressly inform him/her of the following:

- The processing to which your personal data will be submitted and the purpose of such processing.
- The optional nature of the answer to the questions asked when they deal with sensitive data.
- The rights you have as Holder.
- The identification, physical or electronic address and telephone number of the Data Controller.

## **HOLDER'S RIGHTS**

Pursuant to the provisions of the regulations on personal data, the Data Subject has the following rights:

- Conform, update and rectify your personal data with respect to those responsible for data processing.
- Request proof of the authorization granted.
- Be informed upon request, regarding the use that will be made of your personal data.
- To file complaints before the Superintendence of Industry and Commerce for violations of the provisions of the rules on personal data.
- Request the deletion of personal data.
- To revoke the authorization by submitting a request and/or claim. This does not apply when the Data Subject has a legal or contractual duty to remain in the database.
- Request the Superintendence of Industry and Commerce to order the revocation of the authorization and/or the deletion of the data.
- Consult your personal data, at least once every calendar month and every time there are substantial modifications to the information processing policies.

To exercise these rights, the Holder may contact the following customer service line: (+57) 601 9156373, email [protecciondatos.co@azelis.com](mailto:protecciondatos.co@azelis.com), by written communication or by going directly to the main office Autopista Medellin km 5.7 south side, warehouse 1 - Logika II. Tenjo Cundinamarca.

## **CONSULTATION PROCEDURE**

The Data Subjects or their successors in title may consult the personal information of the Data Subject contained in any of our databases.

The credit and portfolio area of ROCSA COLOMBIA S.A. and its subsidiaries, will process the requests made by the Data Controllers or their assignees in relation to the processing of their personal data. For this purpose, it is necessary that the Holder or his legal

representative identify himself and make a clear, precise and detailed description of the data in respect of which he bases his request or seeks to exercise any of his rights, in order to ensure a timely and effective response.

In the case of inquiries and complaints, ROCSA COLOMBIA S.A. and its subsidiaries, will respond to the petitioners within the term established in Law 1581 of 2012, that is, within a maximum term of ten (10) business days from the date of receipt of the request.

When it is not possible to answer the consultation within said term, the interested party will be informed, stating the reasons for the delay and indicating the date on which the request will be resolved, which in no case may exceed five (5) working days following the expiration of the first term.

## **PROCEDURE FOR MAKING REQUESTS**

The Data Subject or its assignees who consider that the information contained in our database should be corrected, updated or deleted, or when they notice the alleged breach of any of the duties contained in Law 1581 of 2012, may submit a request which will be processed under the following conditions:

- The requirement shall be formulated by means of a request addressed to the Credit and Portfolio area of ROCSA COLOMBIA S.A. and its subsidiaries, with the due identification of the Holder, the description of the facts that give rise to the request and the address, together with the documents to be asserted. If the request is incomplete, the interested party will be requested within five (5) business days after receipt thereof to correct the faults. After two (2) months from the date of the request, without the Holder or its assignees submitting the requested information, it will be understood that the request has been withdrawn.
- In the event that the person who receives the request is not competent to resolve it, it will be transferred to the corresponding person within a maximum term of two (2) business days and the interested party will be informed of the situation.
- Once the complete request has been received, a legend will be included in the database stating "claim in process" and the reason for the claim, within a term no longer than two (2) business days. Said legend shall be maintained until the request is resolved.
- The maximum term to comply with the request will be fifteen (15) working days from the day following the date of receipt. When it is not possible to comply with the request within such term, the interested party shall be informed of the reasons for the delay and the date on which the request will be complied with, which in no case may exceed eight (8) business days following the expiration of the first term.

## **PROCEDURAL REQUIREMENT**

It is important that the Holder or assignee takes into account that he/she may only file a complaint before the Superintendence of Industry and Commerce once he/she has exhausted the consultation process or requirement before ROCSA COLOMBIA S.A. and its subsidiaries.

## **DUTIES OF THE DATA CONTROLLER AND DATA PROCESSOR**

Data Controllers shall have the following duties, without prejudice to the other provisions set forth in this Law 1581 of 2012 and others that govern their activity:

- Guarantee to the Data Subject, at all times, the full and effective exercise of the right of habeas data.
  - Adopt an internal policies and procedures manual to ensure compliance with personal data standards.
  - Make available to the Data Subject free and easily accessible mechanisms to submit the request for modification or deletion of data or the revocation of the authorization.
  - Respond to the requirements of the Superintendence of Industry and Commerce by means of a description of the procedures used for the collection, storage, use, circulation and suppression of the information, a description of the purposes for which the information is collected and an explanation of the need to collect the data.
  - Designate the area in charge of assuming the personal data protection function.
  - Request and keep, under the conditions set forth in the Law, a copy of the respective authorization granted by the Holder.
  - Duly inform the Data Subject about the purpose of the collection and the rights he/she has by virtue of the authorization granted.
  - Keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- Ensure that the information provided to the Data Processor is truthful, complete, accurate, updated, verifiable and understandable.
- Update the information, communicating in a timely manner to the Data Processor, all developments regarding the data previously provided and take other necessary measures to ensure that the information provided to it is kept up to date.
  - Rectify the information when it is incorrect.
  - To provide to the Data Processor, as the case may be, only data whose processing is previously authorized in accordance with the provisions of the Law.
  - To require the Data Processor at all times to respect the security and privacy conditions of the Data Subject's information.
  - Process inquiries and claims formulated in accordance with the terms set forth in the Law.
  - Adopt an internal manual of policies and procedures to ensure adequate compliance with the Law and, in particular, to deal with queries and requirements.
  - Inform the Data Processor when certain information is under discussion by the Data Subject, once the claim has been filed and the respective process has not been completed.
  - Inform at the request of the Data Subject about the use given to his or her data.
  - Inform the Superintendence of Industry and Commerce, through the Delegation for the Protection of Personal Data, when there are violations to the security codes and there are risks in the administration of the information of the Data Holders.
  - Comply with the instructions and requirements issued by the Superintendence of Industry and Commerce in matters of habeas data.

## **TRANSFER OF DATA TO THIRD COUNTRIES**

The transfer of personal data of any kind to countries that do not provide adequate levels of

data protection is prohibited. It is understood that a country offers an adequate level of data protection when it complies with the standards set by the Superintendence of Industry and Commerce on the matter, which in no case may be lower than those required by law to its recipients.

This prohibition shall not apply in the case of:

- Information with respect to which the Data Subject has given his/her express and unequivocal authorization for the transfer.
  - Exchange of medical data, when so required by the Data Controller's data processing for health or public hygiene reasons.
  - Bank or stock exchange transfers, in accordance with the applicable legislation.
  - Transfers agreed within the framework of international treaties to which the Republic of Colombia is a party, based on the principle of reciprocity.
  - Transfers necessary for the execution of a contract between the Data Subject and ROCSA COLOMBIA S.A. and its subsidiaries, or for the execution of pre-contractual measures as long as the authorization of the Data Subject is obtained.
- Transfers legally required to safeguard the public interest, or for the recognition, exercise or defense of a right in a judicial proceeding.
- For cases not contemplated above, authorization shall be requested from the Superintendence of Industry and Commerce.

## **PURPOSES OF TREATMENT**


ROCSA COLOMBIA S.A. and its subsidiaries as responsible for the processing of personal data, has policies and procedures to ensure that the data processors comply with them. These policies of treatment of information are available in physical or electronic media, in a clear and simple language that are in knowledge of the data subjects.

Any substantial change in the processing policies will be previously and timely communicated to the Data Controllers in an efficient manner.

Therefore, ROCSA COLOMBIA S.A. and its subsidiaries will use the data for the following purposes:

- Perform through any means, directly or through third parties, activities of control and prevention for money laundering, financing of terrorism and financing for the proliferation of weapons of mass destruction, linking, sales, billing, collection management, collection, programming, technical support, market intelligence, service improvement, verifications and consultations, control, behavior, habit and enablement of means of payment, fraud prevention, as well as any other related to our current and future products and services, for the fulfillment of contractual obligations and our corporate purpose.
- To provide assistance, service and technical support for our products and services.
- Take the necessary steps to comply with the obligations inherent to the services and products contracted with ROCSA COLOMBIA S.A. and its subsidiaries.
- Comply with the obligations contracted with our customers, suppliers, partners, affiliates, distributors, subcontractors, outsourcing and other public or private third parties, directly or



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indirectly related to the corporate purpose of ROCSA COLOMBIA S.A. and its subsidiaries.

- Inform about changes in products and services related to the ordinary course of business of ROCSA COLOMBIA S.A. and its subsidiaries.
- Control and prevent fraud in all its forms.
- To facilitate the correct execution of purchases and provision of contracted services and products.

The type of processing of personal data contemplates the following:

- Comply with the regulatory provisions on data transfer to third countries in case such transfer is necessary.
- Provide information to the authorities that expressly request it and in the exercise of their functions or to respond to administrative or judicial requirements.

**MODIFICATIONS TO THE MANUAL**

ROCSA COLOMBIA S.A. and its subsidiaries, reserve the right to modify at any time and unilaterally this Manual or any policy and procedure relating to the processing of personal data, always observing the guidelines of the Law in force or continuous improvement of the document, which event will be timely and properly communicated to interested parties prior to its application.

**EFFECTIVE DATE**

This Policy and Procedure Manual on the Processing of Personal Data is effective as of July 04, 2017 and is valid for an indefinite period of time.