



# DATA PROTECTION POLICY

ODINSA S.A. Colombian company identified with NIT 800.169.499-1 in compliance with the provisions of Law 1581 of 2012 and its regulatory decree number 1377 of 2013, which regulate the protection of personal data and establish the legal guarantees that must be met by all persons in Colombia for the proper treatment of such information, develops the following policies for the processing of personal data within the Company.

The terms used in this Policy with initial capital letters, will have the meaning established in Annex No. 1 "Definitions".

## **I. PRINCIPLES APPLICABLE TO THE PROCESSING OF PERSONAL DATA**

The protection of personal data in ODINSA S.A. will be subject to the following rules, based on which the internal processes related to the processing of personal data will be determined and interpreted in a harmonious, integral and systematic manner to resolve the conflicts that arise in this matter, principles enshrined in international standards, in Colombian laws and in the jurisprudence of the Constitutional Court that has developed fundamental rights. linked to personal data.

### **Informed consent or principle of Freedom.**

The processing of personal data within ODINSA S.A., can only be done with the prior, express and informed consent of the owner. Personal data may not be obtained, processed or disclosed without the authorization of the owner, except legal or judicial mandate that supplements the express consent of the owner.

### **Legality.**

The processing of personal data in Colombia is a regulated activity and therefore the business processes and recipients of this standard must be subject to the provisions of this standard.

### **Purpose of the Data.**

The processing of personal data must obey a legitimate purpose, in accordance with the Constitution and the law, which must be informed in a concrete, precise and prior way to the owner so that he expresses his informed consent.

### **Quality or veracity of the data.**

The personal data collected by ODINSA S.A. must be true, complete, accurate, verifiable, understandable and kept updated. The processing of partial, fractional, incomplete or misleading data is prohibited.

**Transparency.**

In the processing of personal data, the right of the owner to obtain and know from the person responsible and / or in charge of the treatment, information about the existence of data that concerns him will be guaranteed.

In the collection of personal data by ODINSA S.A. the purpose of the Treatment and / or the database must be taken into account; They should therefore be adequate, relevant and not excessive or disproportionate to the purpose. The collection of personal data disproportionate to the purpose for which they are obtained is prohibited.

**Access and Restricted Circulation.**

The personal data collected or processed by ODINSA S.A. will be used by this company or its related parties only within the scope of the purpose and authorization granted by the owner of the Personal Data, therefore, they will only be transferred to third parties that require this data for the provision of any service to ODINSA S.A. that is necessary and that has the same purpose that ODINSA S.A. is giving to said personal data. The Holder with his Authorization, will empower ODINSA S.A. in the same way, to the Transfer and assignment of his personal data for the purposes authorized by him to those in charge of the Treatment or his related. The personal data in the custody of ODINSA S.A. may not be available on the Internet or in any other means of mass dissemination, unless access is technically controllable and secure, and such access is intended to provide restricted knowledge only to the holders or authorized third parties in accordance with the provisions of the law and the principles governing the matter. Exceptions to the foregoing are events in which by express legal provision there must be disclosure of such data in mass media such as the Internet or the prior existence of authorization by the owner of the information.

**Temporality of the data.**

Once the purpose for which the Personal Data was collected has been exhausted, ODINSA S.A. must cease its use and therefore adopt the pertinent measures to ensure its elimination. For this purpose, the obligations of commercial law regarding the retention of the merchant's books of commerce and correspondence shall be taken into account.

However, if deemed necessary, the data may remain in the Odinsa S.A. databases when they are required to comply with a legal duty or court order, as well as when their treatment is limited to their conservation for historical or statistical purposes.

**Data Security.**

ODINSA S.A., as Responsible or Responsible for the Processing of personal data, as the case may be, will adopt the physical, technological and / or administrative security measures that are necessary to guarantee the attributes of integrity, authenticity and reliability of personal data. ODINSA S.A., according to the classification of the personal data made within the organization, will implement the security measures of high, medium or low level, applicable as the case may be, in order to avoid adulteration, loss, leakage, consultation, use or unauthorized or fraudulent access.

**Confidentiality.**

ODINSA S.A. and all persons involved in the processing of personal data, have the professional obligation to keep and maintain the reservation of such data, except for legal exceptions. This obligation subsists even after the end of the relationship that gave rise to the collection and processing of the data. ODINSA S.A. will implement, in its contractual relations, data protection clauses in this regard.

**Duty of Information.**

ODINSA S.A. will inform the holders of the personal data of the data protection regime adopted by the organization, as well as regarding the purpose and other principles that regulate the processing of these data. It will also inform about the existence of the personal databases that it guards, the rights and the exercise of habeas data by the holders, proceeding to the registration required by law.

**Special protection of sensitive data.**

ODINSA S.A. will not collect or process personal data linked exclusively to political ideologies, union membership, religious beliefs, sex life, ethnic origin and / or health data, unless expressly authorized by the owner or by express legal provision.

No activity of ODINSA S.A., will be conditioned to the Owner providing sensitive personal data, except when it is imperative to benefit the owner of the information or because the specific situation so requires.

**II. RIGHTS OF DATA SUBJECTS**

The holders of the personal data contained in Databases that rest in the information systems of ODINSA S.A., have the rights described in this section in compliance with the fundamental guarantees enshrined in the Political Constitution and the Law.

The exercise of these rights may be carried out by the Holder of the Personal Data, in accordance with the legal provisions that regulate the exercise thereof. For the exercise of these rights, the Owner of the Information may contact the entity through written communication addressed to the following email address [protecciondedatos@odinsa.com](mailto:protecciondedatos@odinsa.com); or written document addressed to the following address Calle 24 A No. 59-42 Torre 3 Piso 10, in the city of Bogotá D.C. and Carrera 43 A No. 1 A Sur – 143 Santillana, Torre Norte, Piso 5 in the city of Medellín, Colombia.

The exercise of Habeas Data, expressed in the following rights, constitutes a very personal power and will be exercised by the owner of the data exclusively, except for the exceptions of law.

#### **Right of Access.**

This right includes the faculty of the Data Subject to obtain all the information regarding their own personal data, whether partial or complete, of the treatment applied to them, of the purpose of the treatment, the location of the databases that contain their personal data, and on the communications and / or assignments made with respect to them, whether they are authorized or not.

Access to personal data that have been subject to processing is guaranteed free of charge once a month or whenever there are substantial modifications to these information processing policies that motivate new consultations. For consultations whose periodicity is greater than one for each calendar month, the entity may charge the holder the costs of shipping, reproduction and, where appropriate, certification of documents.

#### **Right to Update.**

This right includes the power of the Data Subject to update their personal data when they have had any variation.

#### **Right to Rectification.**

This right includes the right of the owner of the data to request the modification of the data that turns out to be inaccurate, incomplete or non-existent.

#### **Right of Cancellation.**

This right includes the power of the Data Subject to cancel their personal data or delete them when they are excessive, not relevant, or the treatment is contrary to the rules, except in those cases contemplated as exceptions by law, or when they are maintained due to the existence of a contractual or commercial relationship.

#### **Right to Revocation of Consent.**

The Owner of the personal data has the right to revoke the consent or the Authorization that enabled ODINSA S.A. for a Treatment with a certain purpose, except in those cases contemplated as exceptions by law and / or that is necessary in a specific contractual framework.

### **Right of Opposition.**

This right includes the power of the Data Subject to oppose the processing of their personal data, except in cases where such right does not proceed by legal provision or for violating general interests superior to the particular interest. ODINSA S.A., based on the legitimate rights argued by the Owner of the Personal Data, will make a judgment of proportionality or weighting in order to determine the preeminence or not of the particular right of the owner of the data over other rights.

### **Right to file Complaints and Claims or to exercise Actions.**

The Owner of the Personal Data has the right to submit to ODINSA S.A. queries and claims in accordance with the laws that regulate them and complaints to the Superintendence of Industry and Commerce, or the competent entity. ODINSA S.A. will respond to the requirements made by the competent authorities in relation to these rights of the holders of personal data.

### **Right to grant Authorization for data processing.**

In development of the principle of informed consent, the Owner of the data has the right to grant his Authorization, by any means that may be subject to subsequent consultation, to process his personal data in ODINSA S.A.

Exceptionally, this Authorization will not be required in the following cases:

- When the information is required or must be delivered to a public or administrative entity in compliance with its legal functions, or by court order.
- In the case of data of a public nature.
- In cases of medical or health emergency.
- When it is the processing of information authorized by law for historical, statistical or scientific purposes.
- In the case of personal data related to the Civil Registry of persons.

In these cases, although the Authorization of the Holder is not required, the other principles and legal provisions on the protection of personal data will apply.

### III. GENERAL POLICY

For the protection of personal data and the treatment of these as a general objective of ODINSA S.A. is to ensure the confidentiality, integrity, freedom, veracity, transparency and availability of the information and databases of its shareholders, suppliers, applicants, employees and former employees, guaranteeing availability of the technological infrastructure for the treatment of personal data collected for legal, contractual and commercial purposes.

For this purpose, ODINSA S.A. undertakes to comply with current regulations, always seeking effective mechanisms for the protection of the rights of the holders of the personal data to which it treats them and, will manage and develop measures that contain adequate security conditions to avoid adulteration, loss, consultation, use or fraudulent access to the information.

In the Data Processing Authorization that is requested in each case, it will be indicated that they can be transferred to entities that will fulfill the function of managers in the terms established by Law 1581 of 2012 or to the related ones of the organization. Those in charge of database administration of ODINSA S.A., must fully comply with this Data Protection Policy.

### IV. SPECIFIC POLICIES FOR THE PROCESSING OF PERSONAL DATA

The operations that constitute the processing of personal data by ODINSA S.A., as Responsible or Person in Charge thereof, will be governed by the following parameters.

#### 1. Personal Data related to Human Resource Management.

There will be separate databases for the processing of personal data, before, during and after the employment relationship.

##### 1.1. Data processing before the contractual relationship.

ODINSA S.A. will inform, in advance, the persons interested in participating in a selection process, the rules applicable to the processing of personal data provided by the interested party, as well as those obtained during the selection process.

When ODINSA S.A. hires third parties to advance or support the selection processes, in the respective contracts it will establish that the personal data collected must be treated in compliance with this Data Protection Policy.

The purpose of the delivery of the data provided by those interested in the vacancies of ODINSA S.A. and the personal information obtained from the selection process, is limited to the information related to their participation in it; therefore, its use for different purposes is prohibited.

#### 1.2. Data processing during the contractual relationship.

ODINSA S.A. will store the personal data obtained during the selection process of employees in a folder identified with the name of each of them. This physical or digital folder will only be accessed and processed by the Human and Administrative Management Area and in order to manage the contractual relationship between ODINSA S.A. and the employee.

The use of employee information for purposes other than those established in the employment contract and the authorizations signed for this purpose is prohibited in ODINSA S.A. The different use of the data and personal information of employees will only proceed by order of the competent authority, provided that such power lies in it. It will be up to ODINSA S.A. to evaluate the competence and effectiveness of the order of the competent authority, in order to prevent an unauthorized transfer of personal data.

For the purposes of the Treatment of sensitive personal data that are collected during the employment relationship, express authorization of the Holder will be required for which he must be informed of the Sensitive Data that will be processed and the purpose thereof.

For external services that ODINSA S.A. may require, in the processing of data during the contractual relationship, it may be necessary to transfer or transfer such data to a third party, so that it is in charge of the administration of the treatment. For this case, in the express authorization of the employee authorizing the treatment, the authorization for data transfer will be included.

#### 1.3. Data processing after the contractual relationship has ended.

Once the employment relationship has ended, whatever the cause, ODINSA S.A. will proceed to store the personal data obtained from the selection process and documentation generated in the development of the employment relationship, in a central file, subjecting such information to high security measures and levels, by virtue of the potential that the labor information may contain Sensitive Data.

The personal data of former employees are kept exclusively for the fulfillment of the following purposes:

- i. Comply with Colombian or foreign law and the orders of judicial, administrative authorities or private entities in the exercise of public services;



ii. Issue certifications regarding the relationship of the owner of the data with the company;

iii. Statistical or historical purposes.

## 2. Processing of personal data of Shareholders.

The data and personal information of natural persons who will become shareholders of ODINSA S.A., will be considered reserved information, since it is registered in the books of commerce and has the character of reserve by legal provision. However, the information will be disclosed in the cases established by the rules governing the public securities market.

Consequently, access to such personal information will be made in accordance with the provisions of the Commercial Code and other regulations governing the matter.

The purposes for which the personal data of the shareholders will be used are the following:

i. Allow the exercise of the duties and rights derived from the quality of shareholder;

ii. Sending invitations to events scheduled by the Company;

iii. Issuance of certifications relating to the relationship of the data subject with The Company;

iv. The others established in the authorizations that are granted by the shareholders themselves.

## 3. Processing of personal data of Suppliers.

ODINSA S.A. will only collect from its suppliers the data that is necessary, relevant and not excessive for the purpose of selection, evaluation and execution of the contract to which it may take place. When ODINSA S.A. is required by legal nature to disclose data of the natural person supplier as a result of a contracting process, this will be carried out with the provisions that comply with the provisions of this standard and that warn third parties about the purpose of the information that is disclosed.

The purposes for which the personal data of suppliers will be used will be:

i. Sending invitations to contract and carrying out procedures for the pre-contractual, contractual and post-contractual stages;

ii. Sending invitations to events scheduled by the Company or its affiliates;

iii. The others specifically established in the authorizations that are granted by the suppliers themselves, when these are required in accordance with current regulations or in accordance with Law 1581 of 2012.

ODINSA S.A. may collect personal data from employees of its suppliers when, for security reasons, it must analyze and evaluate the suitability of certain people, taking into account the characteristics of the services contracted with the supplier.

The collection of personal data of employees of suppliers by ODINSA S.A., will have the purpose of verifying the moral suitability and competence of employees; therefore, once this requirement has been verified, ODINSA S.A. will return such information to the supplier, except when its conservation is expressly authorized.

When ODINSA S.A. delivers personal data of any Owner to its suppliers, they must protect the personal data provided, in accordance with the provisions of current regulations. For this purpose, the respective audit forecast will be included in the contract or document that legitimizes the delivery of personal data. ODINSA S.A. will verify that the requested data is necessary, relevant and not excessive with respect to the purpose that grounds the request for access to them.

## V. RECORDINGS, FILMING AND COMMUNICATIONS

The entity, as part of its communication strategy, has available to its shareholders, customers and users the entity's website and various forms of contact, such as written communications, telephone contact, presentation of bulletins and communications.

In both, images, references, articles or communications of the employees of the entity, its clients or those attending the events organized or sponsored by ODINSA S.A. may be published.

Such information and data will in no way be used or shared with third parties for commercial purposes or activities other than to publicize the activities and services of ODINSA S.A. or its related. The entity undertakes to carefully review the information that will be published in any way, in such a way that in no way violates the dignity, privacy or good name of any of the people who may appear in its communications.

The delivery of information by the holders in any form, does not transmit to the entity the intellectual property or moral rights over it. The intellectual property rights shall remain with the owner.

Likewise, the transfer of rights of images, photographs or videos captured and / or filmed within the scope of the employment and / or professional relationship with ODINSA S.A., and in general the other personal data shared, through any means of dissemination and

communication does not bring with it rights to receive compensation or recognition of any kind, since the authorization and transfer of rights are made free of charge.

## **VI. DATA OF MINORS**

Except in the case of shareholders, the entity does not process the personal data of minors in any of its activities. However, in the event that for any reason it is required to process the information, its prevailing interest will be taken into account and in no way will it be carried out without prior authorization from its legal representatives.

## **VII. CHANGES TO POLICIES**

The Company reserves the right to modify the Personal Data Protection policy at any time. Any modification will be communicated in a timely manner to the Holders of the data through the usual means of contact and / or through its website ten (10) business days before its entry into force. In case of not agreeing for valid reasons and that constitute a just cause with the new policies of handling personal information, the holders of the information or their representatives may request the entity to withdraw their information through the channels indicated above, however the withdrawal of the data may not be requested while maintaining a link of any order with the entity.

## **VIII. LAW, JURISDICTION AND VALIDITY**

Any interpretation, judicial or administrative action derived from the processing of personal data that make up the databases of the entity and this policy will be subject to the personal protection rules established in the Republic of Colombia and the competent administrative or jurisdictional authorities for the resolution of any concern, complaint or demand about them will be those of the Republic of Colombia. On the other hand, in general, the information in our Databases will remain treated as long as a legal or contractual relationship is maintained with the Owner of the information. In any case, in general, the information will not be subject to Treatment for a period exceeding twenty (20) years from its collection in accordance with the legal or contractual circumstances that make the handling of the information necessary, without prejudice to the fact that, in any case, it will be maintained if necessary to comply with procedures of a statistical nature, historical or any legal obligation.

### **Annex No. 1 "Definitions"**

#### **Human and Administrative Management Area:**

Area in charge of managing human and administrative processes and the Company.

**Authorization:**

Prior, express and informed consent of the Holder to carry out the Processing of personal data.

**Privacy Notice:**

Document generated by the Responsible, which is made available to the Owner for the processing of their personal data in case of not being able to make the privacy policy available to them.

In general ODINSA S.A. has available to all its employees, customers, shareholders, users and in general holders of personal data its Personal Data policy easily accessible through its website [www.grupoodinsa.com](http://www.grupoodinsa.com). However, if the implementation of this notice is necessary for a certain communication channel, it must contain, at least, the information related to the existence of the information processing policies that will be applicable to it and the characteristics of the treatment that is intended to give to the data.

**Database:**

Organized set of personal data that is processed, regardless of whether these are structured or not.

**Company:**

ODINSA S.A.

**Personal Data:**

Any information linked or that can be associated with one or more determined or determinable natural persons. Personal data can be public, semi-private or private.

**Private Data:**

It is the data that, due to its intimate or reserved nature, is only relevant to the holder, as is the case of biometric data and medical history, among others. This type of data is not processed by ODINSA S.A., unless it is information necessary for the development of a project of its corporate purpose or it is the internal management of the information of its officials, prior authorization on their part for it, if necessary.

**Public Data:**

It is the data qualified as such according to the mandates of the law or the Political Constitution and all those that are not semi-private or private. The data contained in public documents, duly enforceable judicial judgments that are not subject to confidentiality and those relating to the civil status of persons are public, among others.

According to the concepts established by the Superintendence of Industry and Commerce, directory data or data found in internet searches cannot be considered public and its treatment must be based on the principles of handling personal information.

**Semi-private data:**

It is the data that does not have an intimate, reserved, or public nature and whose knowledge or disclosure may be of interest, not only to its owner, but to a certain sector or group of people, or to society in general, as it is related to the fulfillment of the obligations consigned in the credit risk centers.

**Sensitive Data:**

Those that affect the privacy of the Holder 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 promotes the interests of any political party or that guarantee the rights and guarantees of opposition political parties, as well as data relating to health and sex life.

This type of data may be processed by ODINSA S.A., with the prior authorization of its officers, clients or shareholders to do so.

**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.

**External Fraud:**

Acts, carried out by a person external to the entity, that seek to defraud, misappropriate assets or information of the same for their own benefit or that of a third party, or breach rules or laws.

**Internal Fraud:**

Acts that intentionally seek to defraud or misappropriate assets of the entity, confidential information, information of ODINSA S.A. or breach rules or laws, in which at least one official of the entity is involved for their own benefit or that of a third party.

**National Registry of Databases:**

Public directory of the databases subject to treatment in the Colombian territory. The databases that are outside the Colombian territory, if any, will be subject to registration when ODINSA S.A. or those in charge of the treatment are applicable to Colombian legislation, by virtue of internal regulations or international treaties.

**Responsible for the treatment:**

Natural or legal person, public or private, that by itself or in association with others decides on the database and / or the Treatment of the data.

**Superintendence of Industry and Commerce:**

National authority on the protection of personal data, through the Delegation for the Protection of Personal Data.

**Owner of the information:**

Natural person whose personal data are subject to Treatment.

**Transfer:**

When the Responsible and / or Responsible for the Treatment of personal data, located in Colombia, sends the information or personal data to a recipient, who in turn is Responsible for the Treatment, which is located inside or outside the country.

**Transmission:**

Treatment of personal data that implies the communication of the same inside or outside the territory of the Republic of Colombia when it has as its object the realization of a treatment by the Processor on behalf of the Responsible.

**Treatment:**

Any operation or set of operations on personal data, such as collection, storage, use, circulation or deletion.