

INTERNAL PERSONAL DATA PROTECTION POLICIES AND PROCEDURES MANUAL



BACKGROUND

To comply with Law 1581 of 2012 and Decree 1377 of 2013 and, given that CONSTRUCCIONES EL CÓNDROR S.A. collects personal information in the pursuit of its corporate objective, it would like to inform the Owners of Personal Data that are processed in any way by the company about the Internal Personal Data Protection Policies and Procedures Manual. This is to make the Owners of the information aware of their rights, and the mechanisms available to them to enforce their rights, and the purpose of the processing to which such information will be subjected, should the Owners so authorize.

1. DEFINITIONS.

- a) **Authorization:** Means the prior, express, and informed consent given by the Owner to process his or her personal information.
- b) **Database:** This is the organized set of Personal Data that have been Processed
- c) **Company:** Construcciones El Cónдор S.A.
- d) **Personal Datum:** This means any information of any kind, connected with or that can be associated with one or several identified or identifiable individuals.
- e) **Public Datum:** This is the personal Datum defined as such according to the provisions of the Law of the Political Constitution, and any that is not semi-private, private, or sensitive. Public data include, among others, those that relate to people's civil status, their profession or trade, their status as business individuals, or public employees, and those that can be obtained without any reservations. Due to their nature, public data may be found, inter alia, in public records, public documents, etc.
- f) **Sensitive Datum:** This is a Personal Datum that affects the Owner's privacy or the improper use of which may lead to discrimination, such as the data that discloses labor union memberships, racial or ethnic origin, political orientation, etc.
- g) **Processor:** This is the individual or legal entity, whether public or private, that directly or through third parties, performs Personal Data Processing on behalf of the party who is Responsible for the Processing. For the purposes of this Manual, the Company is one of those Parties Responsible for Processing
- h) **Manual:** This means this document that includes the Policies and Procedures for the Protection of Personal Data.
- i) **Permission:** This is the written and express authorization granted through a written contract or a document serving as such by the company to third parties to comply with the applicable laws for the processing of personal information, thus turning them into processors of the Personal Data delivered or made available to them. T



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- j) **Party Responsible for processing:** this is the individual legal entity, whether public or private, which directly or through third parties, makes decisions about the database and/or Personal Data processing; for the purposes of this Manual, this means the Company, i.e., Construcciones El C3ndor S.A.
- k) **Owner:** This is the individual whose personal information is processed.
- l) **Transfer:** This means Personal Data processing involving communicating such data within or outside the territory of the Republic of Colombia for the purpose of Processing by a third party delegated by the party Responsible.
- m) **Transmission:** This is the activity in Personal Data Processing through which such data is communicated whether internally or to third parties, within or outside the territory of the Republic of Colombia when such communication is intended to perform any type of processing by the party receiving the Personal Data.
- n) **Processing:** Any operation or group of operations performed on our Personal Data, such as collection, storage, use, disclosure, or deletion.

2. PRINCIPLES

In the pursuit of his business activities, the company will collect, use, store, transmit, and perform various operations on the owners' Personal Data. In any Personal Data processing carried out by the company, the parties Responsible, the parties in charge, and/or third parties to whom the data is transmitted must comply with the principles and rules set forth in this manual in order to guarantee the owner's right of habeas data, and comply with the company's legal obligations. These principles are:

- a) **Restricted access:** Is merely be carried out by the individuals authorized by the Owner and/or the persons established by law. Personal Data, except for an in and in and public information, may not be made available on the Internet or other mass disclosure are communication media, unless axis is technically controllable to provide restricted knowledge only to the owners or authorized third parties according to the law.
- b) **Prior authorization:** All Personal Data Processing shall take place after receiving a prior, express, and informed authorization given by the Owner, unless the Law provides an exception to this rule. In the event the Personal Data were obtained prior to the Law, the Company shall use all appropriate usual and alternative methods to locate the owners and obtain their retroactive authorization.
- c) **Confidentiality:** All the parties that take part in Processing Personal Data that is not public by nature are obligated to guarantee the confidentiality of the information, even after their relationship with any of the tasks involved in Processing, their contractual relationship with the Company, or the relationship between the Owner of the Personal Data and the Company



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has ended. The parties are only allowed to provide or communicate Personal Data in the performance of authorized tasks.

- d) **Purpose:** All personal processing activities must be carried out for the purposes indicated in this manual, in the authorization granted by the Owner of the Personal Data, or the law. The purpose of the processing must be communicated to the Personal Data Owner at the time his or her authorization is obtained.
- e) **Freedom:** Processing can only be applied with the prior, express, and informed consent even by the Owner. Personal Data may not be obtained or disclosed without prior authorization, or without the legal or judicial mandate that replaces such consent.
- f) **Security:** The information to be processed by the company must be protected using the technical, human, and administrative measures necessary to secure the records and prevent their unauthorized or fraudulent modification, loss, query, use, or access.
- g) **Transparency:** The Owner's right to obtain from the party Responsible or in charge of processing, information about the existence of his or her Personal Data during treatment. This information will be provided by the area in charge of Personal Data protection in the company.
- h) **Restricted circulation:** Personal Data may only be processed by Company personnel who are authorized to do so, or by those whose functions include performing such activities. Personal Data may not be given to parties who do not have such authorization or have not received the Company's permission to carry out such Processing.
- i) **Time period:** The company shall not use the Owner's data beyond the reasonable time required by the purpose communicated to the Owner of the Personal Data.
- j) **Truthfulness or quality:** Information subject to Processing must be truthful, complete, accurate, up-to-date, verifiable, and understandable. Whenever there are incomplete, partial, or misleading data, the Company must as the Owner of such data to update or correct the information or abstain from processing it.

3. RIGHTS OF THE OWNERS OF PERSONAL DATA AND PROCEDURES TO EXERCISE SUCH RIGHTS.

Under the Law, the owners of Personal Data have the following rights:

- a) To know, update, and correct their Personal Data with the parties in charge of Processing. This right may be exercised, inter alia, vis-a-vis partial, inaccurate, incomplete, fractional, misleading data, or the data whose processing is expressly prohibited or has not been authorized.
- b) Ask for evidence of the Authorization given to the party responsible for processing, unless the Law provides that such authorization is not required.



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- c) To be informed by the party Responsible or the party in charge of processing, when requested, about the use to which his Personal Data have been put.
- d) To file complaints with the Superintendence of Industry and Trade (Superintendencia de Industria y Comercio) for violations of the law.
- e) To revoke the authorization and/or ask that his or her Personal Data be removed from the Company's databases, when the Superintendence determines that the Processing does not comply with the principles, rights, constitutional or legal guarantees.
- f) To request and be given free access to his or her Personal Data that have been processed.

Minors may exercise their rights personally or through their parents, or their adult guardians. The latter must provide proof through appropriate documentation. The owners' rights may also be exercised by accredited assignees, Owner's representative and/or attorney, and those who have made and assignment in favor of or for a third party.

CONSULTATION. The Owner, his or her assignees, representatives, and/or attorneys may consult the contents of the Owner's Personal Data included in the Company's databases, and the company will provide any information it has about the Owner. The following is required for such consultation:

- a. Submit a written request in the company's office located at Cra 25 No. 3 -45, 3rd floor, Medellin, or sent via email to habeasdata@elcondor.com
- b. The request must be accompanied by a copy of the Owner's identification document. When the consultation is filed by an assignee, attorney and/or representative of the Owner, this must be certified as provided by the then current applicable laws.
- c. The request must indicate the address and contact information and identification of the party filing the request.
- d. The party Responsible for the consultation will respond to the petitioner provided the petitioner is entitled because he or she is the Owner of the Personal Data, his or her assignee, attorney, representative, or the legal guardian, in the case of minor children. The reply shall be sent within the following ten (10) business days following the date on which the request is received by the Company.
- e. In the event the request cannot be honored within the ten (10) business days after the date on which the request is received by the Company, the petitioner shall be contacted to notify him or her of the reasons for the delay, and to indicate another date for replying to the query. This new date may not be more than five (5) business days after the expiration of the first term. The same or a similar medium to that used by the Owner to file his or her petition will be used for this notification.



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Whatever the medium used file the request, the company should keep proof thereof and of the respective answer.

CLAIM. The Owner, his or her assignees, representatives and/or attorney who believed the information contained in a database must be corrected, updated, or deleted, or when they notice the alleged violation of any of the duties contained in law 1581 of 2012 or in this manual, they may file a written claim with the company. Such claim will be processed according to the following rules:

- a. The claim shall be filed via email address to habeasdata@elcondor.com
- b. The claim must be accompanied by a copy of the Owner's ID. When the claims filed by an assignee, attorney and/or representative of the Owner, he or she must certify set status according to the then current applicable law.
- c. The claim must include a description of the facts that give rise to such claim, and the pretension thereof, i.e., to update, correct, or delete the information, or compliance with the requirements of the law or this manual.
- d. The claim must include the address and contacted identification details for the person filing the claim.
- e. The claim must be accompanied by all the documentation that the claimant wishes to apply.
- f. Before replying to the claim, the company will verify the identity of the Owner of the Personal Data about which the claim is filed, his or her representative and/or attorney. For this purpose, the company may require the Owner's original identification document, and the special, general parts of attorney or documents required, as the case might be.
- g. If the documentation or the claim is incomplete, the claimant will be notified within five (5) days after the claim is received to correct the defects. After two (2) months following the notification date, if the required information is not submitted, it will be understood that the claim has been abandoned.
- h. In the event of the company is not competent to resolve the claim, it will transfer it to the appropriate party within a maximum of two (2) working days and shall so inform the claimant.
- i. After the claim and the complete documentation been received, a notice to read "claim in process" will be posted in the company's database where the Owner's data object of the claim is kept, within a period not to exceed two (2) business days. This notice must be kept until the claim has been resolved.
- j. The maximum time to resolve the claim will be fifteen (15) working days starting the day after the claim is received. In the event it is not possible to resolve the claim within that time, the interested party will be informed of the reasons for the delay and the date on which his or her claim will be resolved. This date may not be more than eight (8) business days after the expiration of the first term.



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COMPLAINT. The Owner, his or her assignees, representatives and/or attorneys may only find a complaint with the superintendence of industry and trade after the consultation or claim process with the company has been completed.

4. PARTIES RESPONSIBLE FOR AND IN CHARGE OF PROCESSING

The company is Responsible for processing the Personal Data base and, within the company, the communications department will be Responsible for receiving and dealing with the queries, complaints, claims, and consultations of any kind about Personal Data. The person in charge of this area will process Personal Data queries and claims, according to the law and this manual.

The contact information for the Responsible party is:

- **Physical address:** Cra 25 No. 3 -45, 3rd floor, Medellin
- **Email address:** habeasdata@elcondor.com
- **Phone:** 57 (4) 4480029
- **Contact's position:** Communications Analyst

PARTY RESPONSIBLE. The company, as the party Responsible for processing, must comply with the following duties, in addition to complying with any other norms imposed by other duties:

- a) Guarantee the Owner, at all times, the full and effective exercise of the right of habeas data
- b) Request and preserve, according to the conditions established by this law, a copy of the respective authorization granted by the Owner
- c) Notify the Owner about the purpose of collecting the data, and of the Owner's rights granted by the authorization given.
- d) Keep the information under the appropriate security measures to prevent unauthorized or fraudulent modification, loss, consultation, use, or access.
- e) Ensure that the information given to the party in charge of treatment is true, complete, accurate, up-to-date, verifiable, and understandable.
- f) Update the information, and notify the person in charge of processing, in a timely manner, about any actions related to the data provided earlier, and to take all other necessary to ensure that the information provided to the person in charge of processing is kept up-to-date.
- g) Correct the information whenever it is incorrect and notify the party in charge of processing.
- h) Provide the party in charge of processing, as the case might be, only the data whose processing has been previously authorized according to the provisions of this law.
- i) Require the party in charge of treatment to respect the Owner's security and privacy terms.
- j) Process the queries and claims submitted according to the terms provided by this law
- k) Adopt an internal policies and procedures manual to guarantee compliance with this law and, especially, to deal with queries and claims.



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- l) Notify the party in charge of processing when certain information is challenged by the Owner, after the respective claim has been filed in the process is still ongoing
- m) inform the Owner, after the Owner's requests it, about the use to which his or her data have been put
- n) Notify the data protection authorities in the event of violations to the security codes and there are risks to the management of the owners' information.
- o) Comply with the instructions and requests from the Superintendence of Industry and Trade

PARTIES IN CHARGE. The company, as the party in charge of processing, and all those who because of their activity or relationship with the company act as parties In Charge of processing, must comply with the following duties, in addition to any regulations imposed by other duties:

- a) Guarantee that the Owner, at all times, can fully and effectively exercise his or her right to habeas data.
- b) Keep the information under the appropriate security measures to prevent its unauthorized or fraudulent modification, loss, query, use or access.
- c) Update, correct, or delete the data, in a timely manner and according to the terms of this law.
- d) Update the information reported by the parties Responsible for processing within the five (5) business days following the date on which it is received.
- e) Process any queries and claims submitted by the owners according to the terms established by this law
- f) Adopt and internal policies and procedures manual to guarantee proper compliance with this law and, especially, to deal with queries and claims filed by the data owners.
- g) Include in the database the words "claim in process" as regulated this by this law.
- h) Insert in the database the words "information under judicial discussion" after the competent authorities as notified about any judicial processes related to the status of Personal Data.
- i) Abstain from disclosing information that is being challenged by the Owner and that has been ordered blocked by the superintendence of industry and trade
- j) Allow access to the information only to those who are authorized to access the data
- k) Notify the superintendence of industry and trade whenever there are violations to the security codes and there are risks to the management of the Owners' information.
- l) Follow the instructions and request from the superintendence of industry and trade.

5. PROCESSING AND PURPOSES

The Personal Data processed by the company must be used for the purposes indicated below. In addition, the parties In Charge or third parties that have access to the Personal Data by law or by contract, will limit processing to the following purposes:



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- a) Record all the necessary data required to comply with the tax, legal and extralegal labor obligations derived from the work contract, and the accounting records of any commercial obligations assumed by the company.
- b) Record all necessary information about shareholders and possible investors in the company to ensure their rights as shareholders and keep those who wish to, informed about any events that might interest them.
- c) Comply with the internal processes of the company regarding the selection and administration of employees, suppliers and contractors.
- d) Fulfill the contracts signed with the clients
- e) Comply with control and prevention of fraud and money laundering and obtained the necessary information for the AMLTF system.
- f) Comply with the government entities' fiscal and legal requirements.
- g) Pay the payroll, legal contributions to Social Security, and extralegal benefits for the employees.
- h) Record the control and payments made for goods and services received.
- i) Provide training and participate in intercompany agreements
- j) Any other activity that is required for proper compliance of the company's commercial relationships with its suppliers and clients.
- k) Any other activity that is required for complying with the company's labor relationship with its employees.
- l) Transmitting data to third parties with which agreements for that purpose have been signed for commercial, administrative, or operating purposes, including without limitation, issuing ID cards and certifications for third parties, at according to current legal provisions.
- m) Maintain and process, using computers or any other medium, all types of information related to the business of the supplier or the client for the purpose of providing the appropriate services or products.
- n) Any other purposes defined by the parties Responsible during the process of Personal Data acquisition for processing, to comply with legal and regulatory obligations, and with the company's policies.

6. APPLICATION

This policy shall apply as of July 26, 2013. Any Personal Data that is stored, used, or transmitted, will remain our database for the time and the needs required, for the purposes mentioned earlier in this manual, and for which the data was collected.

