

**HABEAS DATA POLICY**  
**PERSONAL DATA PROCESSING OF THE COLOMBIAN AMERICAN CHAMBER OF COMMERCE**  
**AMCHAM COLOMBIA**

**1. RESPONSIBILITY IN THE PROCESSING OF INFORMATION**

In order to comply with the provisions of Law 1581 of 2012 and its regulatory decree number 1377 of 2013, below, the Holders of Personal Data contained in the Colombian American Chamber of Commerce – AmCham Colombia’s (hereinafter “AMCHAM”) Databases are informed of the various aspects that are part of our organization’s Data Processing Policy (“Treatment Policy”).

Responsible for the treatment: Colombian American Chamber of Commerce  
Name of the Responsible: Colombian American Chamber of Commerce  
Address: Calle 98 No. 22 – 64 Office 1215  
Email: [protecciondedatos@amchamcolombia.com.co](mailto:protecciondedatos@amchamcolombia.com.co)  
Phone: (+571)587-7828

**2. DEFINITIONS**

**Authorization:** Prior, express, and informed consent of the owner to carry out the processing of personal data.

**Data Bases:** Organized set of personal data that is subject to treatment. The "databases" will have such a condition regardless of the medium in which they are contained, which may be physical, electronic, manual, automated, computer tools, etc.

**Personal Data:** Any information linked or that may be associated with one or more specific or determinable natural persons.

**Headline:** natural person whose personal data is subject to treatment.

**Causeholders:** Person who by succession or transmission acquires the rights of another person.

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

**Notice of privacy:** Verbal or written communication generated by the person in charge, addressed to the owner for the processing of their personal data, by means of which they

are informed about the existence of the information processing policies that will be applicable, the way to access them and the purposes of the treatment that is intended to give personal data.

**Public Data:** It is the data that is not semi-private, private or sensitive. Public data are considered, among others, data related to the marital status of people, their profession or trade and their status as a merchant or public servant. By its nature, public data may be contained, among others, in public registers, public documents, gazettes and official gazettes and duly executed judicial decisions that are not subject to reservation.

**Sensitive Data:** Sensitive data is understood to be those that affect the privacy of the owner or whose improper use may generate discrimination, such as those that reveal racial or ethnic origin, political orientation, religious or philosophical convictions, membership of unions, social organizations, of human rights or that promotes the interests of any political party or that guarantees the rights and guarantees opposition political parties, as well as data related to health, sexual life, and biometric data.

**Transfer:** The data transfer takes place when the person in charge and / or in charge of the processing of personal data, located in Colombia, sends the information or personal data to a recipient, who in turn is responsible for the treatment and is inside or outside the country.

**Transmission:** Treatment of personal data that implies the communication of the same within or outside the territory of the Republic of Colombia when it is intended to carry out a treatment by the person in charge on behalf of a single person in charge.

### **3. PURPOSES AND TREATMENT TO WHICH THE PERSONAL INFORMATION IS SUBJECT**

The personal data that AMCHAM collects, stores, uses, circulates and deletes, will be used for any of the following purposes:

#### **3.1. Regarding the nature and the proper functions of AMCHAM**

The treatment of the data will be carried out in order to establish contact for commercial relations, networking, and marketing studies.

#### **3.2. Regarding de operation of AMCHAM**

*Employees:* The treatment of the data will be carried out for purposes related to its connection, execution and termination of the employment relationship that arises between the employee and AMCHAM.

*Affiliates:* The data processing will be carried out to communicate with its affiliates for the purpose of fulfilling its mission and the statutes.

*Committees:* The data processing will be carried out to contact the members, in order to disseminate and inform about the activities and initiatives of the AMCHAM committees, news of interest and events or to invite their meetings.

*Suppliers:* The data processing will be carried out to contact and contract with suppliers for products or services that AMCHAM requires for the normal functioning of its operation and for the adequate provision of its facilities or offices.

#### **4. RIGHTS OF THE HOLDERS**

- Know, update and rectify personal data against AMCHAM as the person in charge or In charge of the treatment, or exercise the right against whoever has received the data as a result of their transmission.
- Request proof of the authorization granted to AMCHAM as responsible for the treatment.
- Be informed by AMCHAM, upon request, regarding the use that has been given to my personal data.
- Present before the Superintendency of Trade and Commerce complaints for infractions to the provisions of Law 1581 of 2012 and the other regulations that modify, add or complement this regulation.
- Revoke the authorization and/or request the deletion of personal data when the principles, rights and constitutional and legal guarantees are not respected in the treatment.
- Free access to personal data that have been subject to Treatment.

#### **5. SENSITIVE DATA**

The Holder has the right to choose not to respond to any sensitive information requested by AMCHAM, related, among others, to data on their racial or ethnic origin, membership in unions, social or human rights organizations, political, religious, sexual life beliefs, biometrics or health data.

## 6. INFORMATION ON MINORS

The provision of the personal data of minors is optional and must be done with due authorization of the parents or legal representatives of the minor.

## 7. AUTHORIZATION OF THE HOLDER

Without prejudice to the exceptions provided in the law, the Treatment requires the prior, express, and informed authorization of the Holder, for which AMCHAM will previously inform the holders of the personal data that are required and the reason for which the request is made. information, this must be obtained by any means that may be subject to subsequent consultation and verification,

In the documents, formats and/or texts that AMCHAM establishes for this purpose, the following will always be included:

- Publicizing this treatment policy and its location on the institutional website.
- Contact details of the person responsible for the treatment.
- Space for the signature of the owner and, where appropriate, legal representative, and/or any other legitimized for the exercise of rights.

## 8. CASES IN WHICH AUTHORIZATION IS NOT REQUIRED

The authorization of the Holder will not be necessary in the case of:

- 8.1. Information required by a public or administrative entity in the exercise of its legal functions or by court order.
- 8.2. Data of a public nature.
- 8.3. Cases of medical or health emergency
- 8.4. Treatment of information authorized by law for historical, statistical or scientific purposes.
- 8.5. Data related to the Civil Registry of Persons.

## 9. INFORMATION SECURITY

AMCHAM will adopt adequate and sufficient technical and administrative measures that allow the care and conservation of the personal data of the holders, avoiding their adulteration, loss, consultation, use or unauthorized or fraudulent access.

In the same way, the implementation of these measures will allow the conservation of the authorization granted by the owners of the personal data for the treatment of the same.

AMCHAM will adopt all the mechanisms to keep the information confidential and will refrain from using the information for purposes other than those expressly authorized by the owner.

## **10. REQUESTS, CONSULTATIONS AND CLAIMS**

To make requests, queries or claims in order to exercise the rights to know, update, rectify, delete the data or revoke the authorization granted, the Holder or his successors in title can use the following communication channels, from Monday to Friday from 8:00 AM to 12:00 p.m., and from 2:00 p.m. to 5:00 p.m. (Colombian Local Time), by phone (+571) 587 7828 or by email: [protecciondedatos@amchamcolombia.com.co](mailto:protecciondedatos@amchamcolombia.com.co)

## **11. PROCEDURE TO EXERCISE THE RIGHTS - INQUIRIES**

When making your request for a consultation, you must present the following documents:

**Information requested by the owner:** Attach a copy of the identity document.

**Information requested by the causeholder:** Identity document, civil registration of death of the Holder, document that proves the quality in which he acts and the number of the Holder's identity document.

**Information requested by a legal representative and/or agent:** Valid identity document, document that proves the quality in which it acts (Power of Attorney) and the number of the Holder's identity document.

The consultation will be answered within a maximum term of ten (10) business days from the date of receipt.

When exceptional circumstances make it impossible to answer the query within said term, the interested party will be informed before the expiration of ten (10) business days period, about the reasons for the delay in the request, indicating the date on which the request will be dealt with, which in no case may exceed five (5) business days following the expiration of the first term.

## **12. CLAIMS**

The Holders or their successors in title who consider that the information contained should be subject to correction, update or deletion, or who notice the alleged breach of any of the duties contained in Law 1581 of 2012, may file a claim with AMCHAM, through from any of the communication channels described above; Your request must indicate your intention to have your personal data deleted from our databases or to revoke the authorization granted for the processing of your personal data and it must contain the following information:

- Name and identification of the Holder
- The precise and complete description of the facts that give rise to the claim
- The physical or electronic address to send the response and report on the status of the process
- The documents and other evidence that is intended to be enforced.

In the event that the person who receives the claim is not competent to resolve it, he/she will transfer it to the corresponding person within a maximum term of two (2) business days and will inform the interested party of the situation.

If the claim is incomplete, AMCHAM will require the interested party within five (5) days of receipt to correct the faults. After two (2) months from the date of the request, without the petitioner presenting the requested information, it will be understood that he has withdrawn from it.

Once the complete claim has been received, AMCHAM will include in the respective database a legend that says “claim in process” and the reason for it, within a period of no more than two (2) business days. This legend will remain until the claim is decided.

The maximum term to attend the claim will be fifteen (15) business days from the day following the date of receipt, and if it is not possible to respond within said term, AMCHAM will inform the interested party of the reasons for the delay and the date in which it will be attended, without exceeding, in any case, the eight (8) business days following the expiration of the first term.

### **13. EFFECTIVE DATE OF THE INFORMATION PROCESSING POLICY AND EFFECTIVE PERIOD OF THE AMCHAM DATABASES**

This policy applies as of March 30, 2018 and the databases subject to Treatment will remain in force as long as it is necessary for the established purposes.