

# **POLICIES AND PROCEDURES TO GUARANTEE THE PROPER COMPLIANCE WITH LAW 1581 OF 2012 AND THE OTHER RULES THAT REGULATE THE SUBJECT OF PERSONAL DATA PROTECTION**

## **Introduction**

Under the provisions of articles 17 literal k) and 18 literal f) of Law 1581 of 2012, as well as Articles 13 to 19 of Decree 1377 of 2013 and what is stipulated in Decree 886 of 2014 and Circular No. 2 of the Superintendence of Industry and Commerce, then the Personal Data Processing Policies are established, as well as their protection; received and transmitted from aspiring workers to VISA ASISTENCIA S.A.S, also called THE COMPANY, workers of the same, suppliers, contractors, customers and third parties in general, called Information Holders, with whom on the occasion of a commercial and/or contractual relationship, in development of their corporate purpose, they may have access to their personal, legal, tax and tax information, against which VISA ASISTENCIA SAS, is responsible or in charge of the processing of personal data. These policies are also applicable to the data of THE COMPANY where VISA ASISTENCIA S.A.S. is responsible for the treatment, such as: the data of the applicants in selection processes, the data of the workers and the data of suppliers and contractors, as well as customers.

## **Area of application**

In compliance with the aforementioned law and decrees, VISA ASISTENCIA S.A.S. compiled the principles to be applied in order to inform the rights and duties enshrined in favor of the Holders of the Information of personal data against them, and the duties assumed by THE COMPANY as responsible for the Processing of Personal Data. The Policies will be applicable to personal data, registered before or after the entry into force of the rules on the processing of personal data. The policies will not be applicable to those data that by their generality become anonymous because they do not allow the identification or individualization of a specific Holder.

Bearing in mind that VISA ASISTENCIA S.A.S. requires the prior and express authorization by the Owner of the personal data, said authorization will be made by signing the applicant to a position within THE COMPANY, by the employee of the same or by an authorized person by the Holder of the data personal, as a supplier, contractor and customer, of a document that states that between the parties, whether they are natural or legal persons, they may have or have, labor or commercial links, expressly authorizing THE COMPANY by the Holder of the personal data, such as those of their representatives, so that they, voluntarily obtained from the Holder, can be compiled, processed, stored, consulted, managed, shared, disclosed, transmitted, in accordance with this PERSONAL DATA PROCESSING POLICY, for a period of five (5) years, counted from the termination of the link between the Holder of the personal data and VISA ASISTENCIA S.A.S.

## **Processing of personal data**

With the authorization to which reference was made in the previous paragraph, the Holder of the personal data being a supplier, contractor, or client, authorizes VISA ASISTENCIA S.A.S. for:

- a) Conduct inquiries, requests and reports of all credit behavior information, both its own and its representatives and executives, before any of the financial information operators, due to the obligations contracted, or that are contracted, between the Owner of personal data and THE COMPANY.
- b) Likewise, VISA ASISTENCIA S.A.S. is authorized to obtain information on commercial relations of the Holder of the personal data with other entities and to consult their reports before the information centers. To do so, it expressly authorizes, before and irrevocably, VISA ASISTENCIA S.A.S. to perform before any operator of information centers, any operation or treatment carried out on the information and personal data delivered, both from the Holder thereof, as well as their representatives and managers, including consultation, request, supply, report, processing and Disclosure of all information related to the credit behavior of

the Holder of personal data, the origin of the obligations under his charge, any novelty, modification, extinction, compliance or breach of obligations. VISA ASISTENCIA S.A.S. is authorized to verify the behavior of the Holder of the personal data in the relations established with any other entity, either directly before such entity or through an information operator.

- c) Provide the information that rests in their databases to the following persons: to the Holders of the personal data, to the persons duly authorized by them; to the users of the information, within the parameters of the law, of the contracts or agreements signed by VISA ASISTENCIA S.A.S; prior order, to any judicial or administrative authority; to the public entities of the executive branch, when the knowledge of said information corresponds directly to the fulfillment of any of its functions; to the supervisory bodies and other dependencies of disciplinary, fiscal, or administrative investigation, when the information is necessary for the development of an ongoing investigation; to data operators, in accordance with current regulations, and in general to other persons authorized by law.
- d) Collect, obtain, compile, modify, use, store, process and, in general, manage the information. The foregoing, subject to the obligations of professional secrecy provided in the regulations that regulate, modify or complement it.

### **Definitions**

- a) Authorization: Prior, express and informed consent of the Holder to carry out the processing of personal data.
- b) Privacy Notice: Verbal or written communication generated by the Responsible, addressed to the Holder for the Processing of his personal data, by means of which he is informed about the existence of the information processing policies that will be applicable to him, the form to access them and the purposes of the treatment that is intended to give personal data.
- c) Database: Organized set of data that is subject to processing.
- d) Personal Data: Any information linked or that may be associated with one or more natural and/or legal persons, determined or determinable.
- e) Private Personal Data: It is the data that due to its intimate or reserved nature is only relevant to the Holder.
- f) Semiprivate Personal Data: The data that has no intimate, reserved, or public nature, and whose knowledge or disclosure may interest not only its Owner, but also a certain sector or group of people or society in general, is semi-private.
- g) Sensitive Personal Data: Sensitive data means those that affect the privacy of the Holder or whose improper use can generate discrimination, such as those that reveal racial or ethnic origin, political orientation, religious or philosophical convictions, membership to unions, social organizations, human rights organizations or those 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, sexual life, and biometric data.
- h) Public Personal Data: It is the data that is not private, semi-private or sensitive. They are considered public data, among others, data relating to the marital status of people, their profession or trade and their status as merchant or public servant. By their nature, public data may be contained, among others, in public records, public documents, official gazettes and newsletters and duly enforced judicial sentences that are not subject to reservation.
- i) Company: For the purposes of this document, it refers to VISA ASISTENCIA S.A.S.
- j) Person in charge of the Treatment: 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 person

responsible for the treatment.

- k) Responsible for the Treatment: Natural or legal person, public or private, that by itself or in association with others, decides on the basis of data and / or data processing.
- l) Owner: Natural person whose personal data is subject to processing.
- m) Treatment: Any operation or set of operations on personal data, such as collection, storage, use, circulation or deletion.
- n) Transmission: Processing 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 Manager on behalf of the Responsible.
- o) Transfer: The data transfer takes place when the Responsible and/or Person 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 within or out of the country.

### **Guiding Principles of the Processing of Personal Data**

- a) Principle of Legality: This principle refers to the treatment referred to in this Policy, it is a regulated activity that must be subject to what is established in it and in the other provisions that develop it.
- b) Principle of Purpose: It is defined in the following terms: The treatment must obey a legitimate purpose in accordance with the Constitution and the Law, which must be informed to the Holder.
- c) Principle of Freedom: It refers to the fact that the processing can only be exercised with the prior, express and informed consent of the Holder of the personal data. Personal data may not be obtained or disclosed without prior authorization, or in the absence of a legal or judicial mandate that relieves consent.
- d) Principle of Veracity or Quality: It establishes that the information subject to treatment must be truthful, complete, accurate, updated, verifiable and understandable. The processing of partial, incomplete, fractional or error-inducing data is prohibited.
- e) Principle of Transparency: In the processing, the right of the Holder of the personal data must be guaranteed, to obtain from the Data Controller or the person in charge of the treatment, at THE COMPANY, at any time and without restrictions, information about the existence of data that concern him.
- f) Principle of Access and Restricted Circulation: The processing is subject to the limits that derive from the nature of personal data, from the provisions of this Policy and the Constitution. In this sense, the processing may only be done by persons authorized by the Holder of the personal data and / or by the persons provided for in this Policy.
- g) Personal data, except public information, may not be available on the Internet or other means of dissemination or mass communications, unless access is technically controllable to provide restricted knowledge only to Holders or authorized third parties under this Policy.
- h) Principle of Security: The information subject to treatment by the Person Responsible for the Treatment or Person in Charge of the Treatment, in THE COMPANY, referred to in this Policy, must be handled with the technical, human and administrative measures that are necessary to grant security to the records avoiding their adulteration, loss, consultation, use or unauthorized or fraudulent access.

- i) Principle of Confidentiality: THE COMPANY guarantees the reservation of the information, even after the end of its relationship with any of the tasks that include the processing of personal data, being able to only provide or communicate personal data when it corresponds to the development of the authorized activities in this Policy and in the terms of it.

### **Responsible Identification**

VISA ASISTENCIA S.A.S. will normally act as responsible for the processing of personal data but could eventually be in charge. In any of these cases, THE COMPANY will be identified as follows:

*Corporate name: VISA ASISTENCIA S.A.S.*

*Registered Office: Bogotá D.C., Colombia*

*NIT: 901240860-5*

*Address: CALLE 147 N° 12-87, TORRE 5 - 111.*

*Email: [info@visaasistencia.com](mailto:info@visaasistencia.com)*

*Telephone: (+57) 3157464497*

All workers of VISA ASISTENCIA S.A.S. will be responsible for:

- a) Ensure that the Personal Data Processing Policies are known by third parties, customers, suppliers and contractors,
- b) Comply with the provisions of this Policy, as well as the duties defined therein, regarding the strict protection and safe maintenance of personal data and documents transmitted and received from aspiring workers, their own workers and colleagues, of the suppliers and contractors and customers, preventing adulteration, loss, consultation, use or unauthorized or fraudulent access thereof.
- c) Update the information, communicating in a timely manner to the person in charge of the Treatment, all the news regarding the data that he has previously provided, adopting the necessary measures so that the information provided to him is kept updated.
- d) Rectify the information when it is incorrect and communicate the pertinent to the Treatment Manager.
- e) Inform the Person in Charge of the Treatment when certain information is under discussion by the Holder of the personal data, once the claim has been submitted and the respective procedure has not been completed.
- f) Inform at the request of the Holder of the personal data the use given to their data.
- g) Inform the data protection authority when there are violations of security codes and there are risks in the administration of the information of the Personal Data Holders.

### **About the Personal Data**

Next, the processing of the personal data of VISA ASISTENCIA S.A.S. as responsible or responsible for the treatment thereof.

As Responsible: THE COMPANY will process the personal data in the terms and scope of the authorization given by the Holder of the information, of the following data:

- a) Worker data: Includes the data of the applicants to work in THE COMPANY, those of the active workers, as well as the former workers of the same, to: i) Manage and operate, directly or through third parties, the processes of selection and linking of workers, including the evaluation and qualification of the applicants or of the workers themselves, enabling the verification of labor and/or personal references, and the conduct of safety studies; ii) Develop activities related to human resources and management, such as payroll, affiliations with entities of the general social security system of the Holder and its beneficiaries, occupational health and welfare activities, exercise of the employer's sanctioning power, among others; iii) Report occupational accidents, prevention of occupational hazards, medical and safety

exams; iv) Attendance control and registration for payroll payment. In addition to the collection, storage, copying, delivery, updating, ordering, classification, transfer, correction, verification, use for statistical purposes and in general use and use of all data provided, in order to correctly manage the employment relationship by of THE COMPANY with its workers. THE COMPANY may share the data of its workers with its current or potential clients, in the development of its commercial relationship and in order to fulfill its commercial and / or contractual obligations.

- b) Details of suppliers and contractors: Includes the data of suppliers and contractors to: i) Develop processes of contractual management of goods and services; ii) Invite to participate in bidding processes or tenders to be selected; iii) Registration in the databases of the Company of information of the Holder for commercial, tax and fiscal purposes; iv) Record of payments and account statements; v) Evaluation and qualification of compliance. In addition to the collection, storage, copying, delivery, update, ordering, classification, transfer, correction, verification, use for statistical purposes and in general use and use of all data provided for the purpose of developing the corporate purpose of THE COMPANY and what is stipulated in the respective contracts and / or commercial documents signed between the parties, as well as to correctly manage the commercial relationship by THE COMPANY with its suppliers and contractors.

As Responsible for the Treatment: Eventually THE COMPANY may make the processing of personal data in the terms and scope of the authorization given by the Holder of the personal data:

- a) Customer Property Data of the Company: Includes customer data to: i) Comply with the obligations contracted at the time of contracting the services of VISA ASISTENCIA S.A.S; ii) Send information on offers and quotes, on services; iii) Strengthen business relationships by sending relevant information, hiring new services, quotes, billing and portfolio collection; iv) Send information about changes in general or particular conditions of the services offered by THE COMPANY. In addition to the collection, storage, copying, delivery, updating, use, ordering, classification, transfer, correction, verification and use for statistical purposes of data owned by corporate clients of THE COMPANY, which will at all times be subject to the policies and instructions agreed between the Parties. To the extent possible, in the agreements or contracts with customers THE COMPANY will express the condition of Responsible for the processing of the data, and the Responsible for the processing of the same, with the obligations that such quality imposes on them. The data provided by the customers will only be used according to the purpose established in the respective agreements or contracts, and therefore, will be returned to the Responsible of the client once the contractual obligations, or derived from agreements, of VISA ASISTENCIA S.A.S. as Manager.

### **Security of the information**

The mechanisms through which THE COMPANY makes use of personal data are safe and confidential, as it has the appropriate technological means to ensure that they are stored in a way that prevents unwanted access by third parties, ensuring confidentiality. thereof.

Personal data will be kept as long as there is a business relationship between VISA ASISTENCIA S.A.S. and third parties, and if necessary, for up to five (5) years after the termination of the aforementioned relationship.

### **Rights of the Information Holders**

The holders of the information have the following rights:

- a) Know, update and rectify your personal data. This right may be exercised, among others, against partial, inaccurate, incomplete, fractional, error-inducing data, or those whose

treatment is expressly prohibited or has not been authorized;

- b) Request proof of authorization granted to THE COMPANY, as Responsible for the treatment, except when expressly excepted as a requirement for the Treatment, in accordance with the provisions of these Policies and the laws in force governing the matter;
- c) Be informed by THE COMPANY, upon request, regarding the use you have given to your personal data;
- d) Submit complaints to the Superintendence of Industry and Commerce for violations of the provisions of the law and the other regulations that modify, add or complement it;
- e) Revoke the authorization and / or request the deletion of the data when the constitutional and legal principles, rights and guarantees are not respected in the treatment. The revocation and / or deletion will proceed when the Superintendence of Industry and Commerce has determined that in the treatment THE COMPANY has engaged in conduct contrary to the law and the Constitution;
- f) Access free of charge to your personal data that have been processed.
- g) The other rights that are contained in the regulations in force regarding the matter.

In the exercise of the rights listed above, you may make the pertinent queries and make the claims that you deem necessary in order to guarantee their respect.

#### **About the Duties of the Company**

Duties as Responsible for Treatment: VISA ASISTENCIA S.A.S. when acting as Responsible for the processing of personal data, you must fulfill the following duties:

- a) Guarantee to the Holder of personal data, at all times, the full and effective exercise of the right of habeas data.
- b) Request and keep a copy of the respective authorization granted by the Holder.
- c) To duly inform the Holder of the personal data about the purpose of the collection and the rights that assist him by virtue of the authorization granted.
- d) Keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- e) Ensure that the information provided to the person in charge of the processing of personal data is truthful, complete, accurate, updated, verifiable and understandable.
- f) Update the information, communicating in a timely manner to the person in charge of the treatment, all the news regarding the data that he has previously provided and take the other necessary measures so that the information provided to him is kept updated.
- g) Rectify the information when it is incorrect and communicate the pertinent to the Person in charge of the processing of personal data.
- h) Provide the Person in charge of the processing of personal data, as appropriate, only data whose processing is previously authorized.
- i) Require the person in charge of the treatment at all times, respecting the security and privacy conditions of the information of the Holder of personal data.

- j) To process the queries and claims made in the terms indicated in this Policy.
- k) Inform the person in charge of the processing of personal data when certain information is under discussion by the Holder of personal data, once the claim has been submitted and the respective procedure has not been completed.
- l) Inform the Owner's Request of personal data about the use given to their data.
- m) Inform the data protection authority when there are violations of security codes and there are risks in the administration of the information of the Personal Data Holders.
- n) Comply with the instructions and requirements issued by the Superintendence of Industry and Commerce.
- o) The others provided in the Law.

Duties as Responsible for the Processing of personal data: VISA ASISTENCIA S.A.S, as Responsible for the Processing of personal data, you must fulfill the following duties:

- a) Guarantee to the Holder of personal data, at all times the full and effective exercise of the right of habeas data.
- b) Request and keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- c) Timely update, rectify or delete the data.
- d) Update the information reported by the Person Responsible for the Processing of personal data within five (5) business days from the date of receipt.
- e) To process the queries and claims made by the Holders of personal data.
- f) Record in the database the legend "claim in process" in the way it is regulated by law.
- g) Insert in the database the legend "information in judicial discussion" once notified by the competent authority about judicial processes related to the quality of personal data.
- h) Refrain from circulating information that is being controversial by the Holder of personal data and whose blocking has been ordered by the Superintendence of Industry and Commerce.
- i) Allow access to information only to people who may have access to it.
- j) Inform the Superintendence of Industry and Commerce when there are violations of the security codes and there are risks in the administration of the information of the holders of personal data.
- k) Comply with the instructions and requirements issued by the Superintendence of Industry and Commerce.

Concurrence of Qualities: In the event in which the qualities of Responsible and Responsible for the Processing of personal data concur, the Company will be required to fulfill the duties provided for each.

### **About the sensitive data and minors**

THE COMPANY deals with sensitive data but not minors. Notwithstanding the foregoing, it undertakes to comply fully with Title III of Law 1581 of 2012, which establishes sensitive data and data of children and adolescents.

### **Procedure for the exercise of rights by the Information Holders**

The Holders of the personal data information may exercise the rights to know, update, rectify and delete information, revoke the authorization initially granted, consult information, submit claims and in general the other rights established in Article 8 and other concordant of the Law 1581 of 2012, through the following means:

E-mail: [info@visaasistencia.com](mailto:info@visaasistencia.com) or by sending your communication to CALLE 147 N° 12-87, TORRE 5 - 111 of Bogotá DC, Colombia, addressed to Hugo Alejandro Melo Martínez, who will be the Official of Compliance in THE COMPANY.

The answers will be issued within a maximum term of fifteen (15) business days from the day following the date of receipt of the request for rights by the Holder of personal data. This period can be extended when it is not possible to meet the request within said term, THE COMPANY must inform the petitioner of the reasons for the postponement, before its original expiration.

The Holder of the Personal Data Information that warns of the alleged breach of any of the duties of THE COMPANY on the processing of personal data, may submit a claim which will be processed under the following rules:

The claim will be made directly to THE COMPANY following the procedure and through the channel, established. The claim must establish the identification of the Holder of the Personal Data Information, the description of the facts that give rise to the claim, the address, and accompanying the respective documentary evidence that supports your claim. If the claim is incomplete, the Owner of the Personal Data Information will be required within fifteen (15) business days from the day following the date of receipt of the request for rights by the Holder of the personal data, to fix the faults. After thirty (30) days from the date of the request, without the claimant or Holder of the Personal Data Information submitting the required information, it will be understood that he has given up the claim.

Once the complete claim has been received, the review "claim in process" and the origin or reason for it will be included in the database, in a term not exceeding two (2) business days. Such review shall be maintained until the claim request has been resolved.

The maximum term to handle the claim will be fifteen (15) business days from the day following the date of receipt. This period can be extended when it is not possible to meet the request within said term, THE COMPANY must inform the petitioner of the reasons for the postponement, before its original expiration.

As for the complaint before the authorities, the Holder of the Personal Data Information may only lodge a complaint with the Superintendence of Industry and Commerce or with the authority that is competent in accordance with the legal stipulations, once the consultation or claim process has been exhausted before THE COMPANY. VISA ASISTENCIA S.A.S, within the legal opportunity, will attend to the rights exercised by the Holders of the personal data information, their requests, queries and/or claims through the Compliance Officer.

The owners of personal data must understand that in accordance with Article 9 of Decree 1377 of 2013, "the request for information and the revocation of authorization will not proceed when the Holder has a legal or contractual duty to remain in the database".

**Areas responsible for the attention of requests, queries and claims  
of the Holders of the information of personal data in the exercise of their rights.**

Any process related to the processing of personal data will be coordinated and supervised by the Compliance Officer, Hugo Alejandro Melo Martínez.

Email: [info@visaasistencia.com](mailto:info@visaasistencia.com)

Address: CALLE 147 N° 12-87, TORRE 5, 111, BOGOTÁ, CUNDINAMARCA, COLOMBIA

**Security measures of personal data**

THE COMPANY will apply in the treatment of personal data under its responsibility, either as Responsible or as Manager, the best practices, the greatest effort and diligence in order to guarantee the security and confidentiality of personal data voluntarily received from the Holders of the Personal data information. VISA ASISTENCIA S.A.S. has adopted mechanisms and measures that ensure the integrity and confidentiality of personal data, which once incorporated into the databases is not possible alteration, loss, fraudulent use or non-authorization access.

**Transfer and transmission of personal data**

THE COMPANY makes transmission but not transfer of personal data for which it is responsible.

**Prevalence of substantive rules on the subject**

Bearing in mind that this document seeks to comply with the rules that regulate the protection of the right to habeas data enshrined in the Constitution, the statutory laws on the subject and the regulations issued by the National Government for such purpose, the interpretation of the policies of VISA ASISTENCIA S.A.S. will be at all times subordinated to the content of such higher provisions, so in case of incompatibility or contradiction between the present policies and the higher regulations the latter will apply.

**Effective date of the information processing policy**

This version I of the Policies for the Treatment of personal data information becomes effective as of its publication on the website THE COMPANY [www.visaasistencia.com](http://www.visaasistencia.com), where it can be consulted, governing from the moment of its publication. Any modification to this Policy will be informed and published through the website of THE COMPANY.

**Notice of Privacy**

As stipulated in Article 14 of Decree 1377 of 2013, in case it is not possible to make the Information Processing Policies available to the Holder of the personal data information, the Responsible parties must inform through a Privacy Notice to the Holder about the existence of such policies and how to access them in a timely manner and in any case at the latest at the time of collection of personal data. Next, the Privacy Notice that can be used by THE COMPANY is transcribed. However, THE COMPANY may adjust these notices for its application in the different types of authorizations, but without breaching the provisions of current regulations.

**Notice of Privacy**

VISA ASISTENCIA S.A.S. (hereinafter "The Company") is committed to the protection of personal data information. Through this notice you are informed of our Personal Data Protection Policy, the treatment to which the data will be submitted and its purpose, the rights of the Owners, the security measures and the means to make inquiries, requests and complaints are described.

THE COMPANY will make the treatment of personal data in the terms and scope of the authorization

given by the Holder information of personal data, of the following data:

- a) From aspiring workers and from the workers themselves.
- b) Of suppliers, contractors and customers.

### **Rights of the Owners and Mechanisms to Enforce Rights**

The Personal Data Information Holders have the rights contemplated in this Personal Data Information Treatment Policy, as well as in the current data protection regulations, and at any time they can contact THE COMPANY by writing to the email [info@visaasistencia.com](mailto:info@visaasistencia.com), where you can also request the sending of the Policy of Treatment and Protection of personal data.