

# **Internal Manual of Policies and Procedures for the Treatment of Personal Data**

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# Internal Manual of Policies and Procedures for the Treatment of Personal Data

Prime Energía Colombia SAS and its affiliate companies (hereinafter "Prime" or the "Company") in compliance with the provisions of Law 1581 of 2012 and Regulatory Decree 1377 of 2013 that regulate the collection and processing of personal data, adopts this internal manual of policies and procedures to guarantee that the personal information whose treatment the Company performs, on the occasion of the activities for which it has been legally empowered, is carried out following the provisions of the personal data protection regulations.

## I. DEFINITIONS.

For the purposes of this document, unless otherwise stated, the terms in capital letters used here shall have the meaning assigned to said terms in Law 1581 of 2012 and Decree 1377 of 2013.

- a. **Authorization:** Prior, express, and informed consent of the owner to carry out the processing of personal data.
- b. **Database:** It is an organized set of personal data that is subject to Treatment.
- c. **Database Custodian:** For each Database, it is the physical person within PRIME who has the respective Personal Database in their custody.
- d. **Personal Data.** Any information linked to or that may be associated with one or more determined or determinable legal persons.
- e. **Public data:** It is the data that is not semi-private, private, or sensitive. It is considered to be public data, among others, data on the marital status of individuals, their profession or trade, and as a dealer, merchant or public servant. By its nature, public data can be contained in, among others, public records, public documents, journals, official gazettes, and duly executory judgments that are not subject to reservation.
- f. **Sensitive Data:** Sensitive Data is understood as the Data that affects the privacy of the Owner or whose improper use may generate its 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 guarantee the rights and guarantees of opposition political parties, as well as data related to health, sexual life, and biometric data.

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- g. **Data Treatment Supervisor:** Legal person or representative, public, or private, who by themselves or in association with others, performs the processing of personal data on behalf of the Data Controllers.
  - h. **Habeas Data:** Fundamental right of every person to know, update, rectify and/or cancel the information and Personal Data that has been collected and/or processed from it, in public or private databases, in accordance with the provisions of the Law and other applicable regulations.
  - i. **Principles for Data Processing:** They are the fundamental rules, of legal order and/or jurisprudence, that inspire and guide the Processing of Personal Data, from which actions and criteria are determined to solve the possible collision of the right to privacy, Habeas Data and protection of Personal Data, and the right to information.
  - j. **Responsible for the Data Treatment:** Legal person or representative, public, or private, that by themselves or in association with others, decides on the Database and/or the Treatment of the data.
  - k. **Owner:** It is the legal person whose data is subject to Treatment.
  - l. **Treatment:** Any operation or set of operations on personal data, such as collection, storage, use, circulation, or deletion.
  - m. **Transfer:** The data transfer takes place when the Person responsible and/or Supervisor in Charge of the Processing of Personal Data, located in Colombia, sends the information or the Personal Data to a recipient who, in turn, is Responsible for the Treatment and is inside or outside the country.
  - n. **Transmission:** processing of personal data that involves the communication thereof within or outside the territory of the Republic of Colombia when it is intended to carry out treatment by the Supervisor on behalf of the person Responsible for Treatment.

## II. AREA OF APPLICATION.

These policies will apply to the Processing of Personal Data carried out in Colombian territory, or when the policies apply to the Responsible and/or Supervisor located outside of Colombian territory, by virtue of international treaties, contractual relations, and/or any others.

The principles and provisions contained in these Personal Data policies will be applied to any Personal Database that is in the custody of PRIME, either as Responsible and/or Supervisor of Data Treatment.

All PRIME organizational processes involving the Processing of Personal Data must be subject to the provisions of these policies.

## III. ADDRESSEES OF THE POLICIES.

These policies will be applied and therefore will bind the following persons:

- a) All internal PRIME personnel, legal representatives, managers or not, who guard and treat

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Databases that contain Personal Data. ·

- b) Contractors and Legal persons or representatives that provide their services to PRIME under any type of contractual modality, by virtue of which any Personal Data Treatment is carried out.
- c) The other people established by law.

#### IV. PRINCIPLES APPLICABLE TO THE PROCESSING OF PERSONAL DATA.

The principles established below constitute the general parameters that will be respected by PRIME in the personal data processing processes.

- a. **Legality:** The Treatment referred to in Law 1581 of 2012 is a regulated activity that must be subject to what is established therein and in the other provisions that develop it.
- b. **Purpose of Personal Data:** The treatment of personal data collected by PRIME must obey a legitimate purpose, which must be reported to the Owner of the Personal Data; The collection of disproportionate Personal Data in relation to the purpose for which it is obtained is prohibited.
- c. **Informed Consent or Freedom:** The Processing of Personal Data within PRIME can only be done with the prior, express and informed consent of the Owner in accordance with Law 1581 of 2012 and Decree 1377 of 2013. Personal Data may not be obtained, processed or disclosed without the authorization of the Owner except by legal or judicial mandate that substitutes the consent of the Owner;
- d. **Accuracy or quality of the Personal Data:** The Personal Data subject to Treatment must be truthful, complete, exact, verifiable, understandable and kept up to date. Processing of partial, fractional, incomplete or misleading data is prohibited.
- e. **Transparency:** In the Treatment of Personal Data the right of the Owner of the Personal Data will be guaranteed in order to and learn from Responsible and/or Supervisor of the treatment, at any time and without limitation, any information about the existence of data concerning them.
- f. **Access and restricted circulation:** The Personal Data that PRIME collects or processes will be used by the Company only in the scope of the purpose and authorization granted by the Owner of the Personal Data. The Personal Data in the custody of PRIME, except for public information, may not be available on the Internet or in any other means of mass disclosure, unless access is technically controllable and secure, and to provide restricted knowledge only to the Owners or authorized third parties
- g. **The temporality of Personal Data:** Once the purpose for which the Personal Data was collected and/or processed has been exhausted, PRIME must cease its use and, therefore, will adopt the appropriate security measures. For this purpose, the obligations of commercial law regarding the conservation of trading books and correspondence of the dealer will be considered.

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- h. **Security of Personal Data:** PRIME, as the Person Responsible for or Supervisor 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 the Personal Data, in order to prevent adulteration, loss, leak, consultation, use or unauthorized or fraudulent access.
  - i. **Duty of information:** PRIME will inform Data Owners, as well as the person responsible and Supervisor of the treatment of the regulation of data protection adopted by the organization as well as on the purpose and other principles governing the treatment this data. Likewise, it will inform them about the existence of the Personal Databases that it guards, the rights and the exercise of Habeas Data by the Personal Data Owners, proceeding with the registration required by Law and the regulatory Decree.
  - j. **Special Protection of Sensitive Data:** PRIME will not collect or process Personal Data linked exclusively to political ideologies, union affiliation, religious beliefs, sexual life, ethnic origin, and health data, except with the express authorization of the Owner and in those cases of Law in which consent is not required. The sensitive personal information that can be obtained from a personnel selection process will be protected through high-security measures.
  - k. **Confidentiality:** PRIME and all persons involved in the Processing of Personal Data that are not public in nature, have a professional obligation to save and maintain the reservation of such data, even after the end of their relationship with any of the tasks that comprise the Treatment, being able to only supply or communicate Personal Data when it corresponds to the development of the activities authorized in the Law and in the terms thereof. PRIME will implement, in its contractual relationships, Data protection clauses in this regard.

## V. ROLES AND RESPONSIBILITIES IN COMPLIANCE WITH THE PROTECTION OF PERSONAL DATA.

Responsibility for the proper Processing of Personal Data within PRIME lies with all its collaborators and administrators. Consequently, within each area that manages business processes that involve Personal Data Processing, they must adopt the rules and procedures for the application and compliance with these policies, given their condition as custodians of the personal information contained in the PRIME information systems.

In case of any doubt regarding the Treatment of Personal Data, the area Responsible for information security and/or the Legal Department will be contacted to indicate the guideline to be followed, as appropriate.

### 5.1. TEMPORALITY OF PERSONAL DATA.

In the Processing of Personal Data carried out by PRIME, the permanence of the data in its information systems will be determined by the purpose of said Processing.

Consequently, once the purpose for which the data was collected has been exhausted, PRIME will proceed to its destruction or return, as the case may be, or to conserve it according to the provisions of the Law, adopting technical measures that prevent any inappropriate Treatment.

### 5.2. SECURITY MEASURES.

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In the Treatment of Personal Data subject to regulation in these policies, PRIME will adopt physical, logical and administrative security measures, which are classified as high, medium and low, according to the risk that may arise from the criticality of the Personal Data being treated.

In development of the principle of Security of Personal Data, PRIME will adopt a general guideline on these measures, which will be of mandatory compliance by the recipients of these policies.

The addressees of these policies shall inform PRIME of any suspicion that may involve a violation of the security measures taken by the organization to protect personal data entrusted to it, as well as any inappropriate treatment of them, once they become aware of this situation.

In these cases, PRIME will notify the supervisory authority of the situation and will proceed to manage the corresponding security incident regarding Personal Data, in order to establish the legal repercussions thereof, whether these are at the criminal, labor, disciplinary or civil level.

### 5.3. PROCEDURES AND SANCTIONS.

PRIME discloses the sanctions regulation established by Law 1581 of 2012 in its article 23 to the addressees of these policies, which materializes the risks assumed by improper Processing of Personal Data:

" ARTICLE 23. Sanctions. The Superintendence of Industry and Commerce may impose the following sanctions on the Data Controllers and Data Processors:

- a) Fines of a personal and institutional nature up to the equivalent of two thousand (2,000) legal monthly minimum wages in force at the time of the imposition of the sanction. Fines may be successive while the non-compliance that originated them remains.
- b) Suspension of the activities related to the Treatment for a term of six (6) months. In the act of suspension, the corrective measures to be adopted will be indicated.
- c) Temporary Closure of operations related to treatment once the suspension term has elapsed without having adopted the corrective measures ordered by the Superintendency of Industry and Commerce.
- d) Immediate and definitive closure of the operation that involves the Treatment of sensitive data. "

Notification of any research procedure by any authority related to the processing of personal data shall be communicated immediately to the Legal Department of the Company, in order to take measures to defer the actions of the entity and avoid the imposition of sanctions provided for in Colombian legislation, in particular those set forth in Title VI, Chapter 3 of Law 1581 of 2012 described above.

Consequence of the risks that PRIME assumes either as Responsible and/or Supervisor of the Treatment of Personal Data, the breach of these policies by their recipients, is considered a serious fault and will lead to the termination of the respective contract without prejudice of the other actions that legally proceed it.

### 5.4. DELIVERY OF PERSONAL DATA TO AUTHORITIES.

When the State authorities request PRIME for access and/or delivery of Personal Data contained in

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any of its Databases, the legality of the request, the relevance of the requested data in relation to the purpose expressed by the authority, will be verified, and the delivery of the requested personal information will be documented, foreseeing that it complies with all its attributes (authenticity, reliability and integrity), and advising as to the duty of protection on this data, both to the official who makes the request, to whoever receives it, as well as the entity for which they work. The requesting authority will be prevented on security measures that apply to the Personal Data provided and risks involving their improper use and inappropriate treatment.

## **VI. DUTIES OF THE ADDRESSEES OF THESE POLICIES REGARDING PERSONAL DATA**

### *6.1. Duties for the Data Controllers.*

When PRIME or any of the addressees of these policies assume the quality of Responsible for the Processing of Personal Data in their custody, they must fulfill the following duties, without prejudice to the other provisions provided by Law and others that govern their activity:

- a) Guarantee, at all times, the full and effective exercise of the right of habeas data to the Owner.
- b) Request and keep, a copy of the respective authorization and consent granted by the Owner, under the conditions provided in the aforementioned law.
- c) Adequately inform the Owner about the purpose of the collection and the rights that assist them by virtue of the authorization granted.
- d) Guarantee that the information provided to the Data Treatment Supervisor is truthful, complete, exact, updated, verifiable and understandable.
- e) Update the information, communicating in a timely manner to the Person in Charge of the Treatment, all the news regarding the data that has previously been provided and adopt the other necessary measures so that the information supplied to it is kept up to date.
- f) Rectify the information when it is incorrect and communicate what is pertinent to the Data Treatment Supervisor.
- g) Provide the Data Treatment Supervisor, as the case may be, only with data whose Treatment is previously authorized in accordance with the provisions of the aforementioned law.
- h) Require respect for the security and privacy conditions of the Owner's information from the Data Treatment Supervisor at all times.
- i) Inform the Data Treatment Supervisor when certain information is under discussion by the Owner, once the claim has been submitted and the respective procedure has not been completed.
- j) Inform, at the request of the Owner, about the use given to their data.

### *VI.2. Duties of those in charge of the Treatment of Personal Data.*

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When PRIME or any of the addressees of these policies, are named as people in charge of the treatment of personal data, they must comply with the following duties without prejudice of other provisions provided for in the Law and others that govern its activity:

- a) Guarantee to the Owner, at all times, the full and effective exercise of the right of Habeas Data.
- b) Carry out a timely update, rectify or delete Personal Data in accordance with Law 1581 of 2012 and Decree 1377 of 2013.
- c) Update the information reported by the Data Treatment Supervisors within five (5) business days from when it was received.
- d) Register the "claim in process" caption in the Database in the way regulated by Law 1581 of 2012 and Decree 1377 of 2013, regarding those Unresolved claims complaints presented by the Data Owners.
- e) Insert the "information in judicial discussion" caption in the Database once notified by the competent authority about judicial processes related to the quality of Personal Data.
- f) Refrain from circulating information that is being contested by the Owner and whose blocking has been ordered by the Superintendence of Industry and Commerce in accordance with the provisions of Law 1581 of 2012 and Decree 1377 of 2013.
- g) Allow access to information only to people who can access it.

### *6.3. Common Duties of People responsible and Supervisors of Data Treatment.*

In addition to the duties described above, in representation of PRIME and any other person who assumes their condition of Responsible or Supervisor for Data Treatment, in a complementary way they will assume the following duties regardless of their condition:

- a) Keep Personal Data under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- b) Apply the security measures according to the classification of the Personal Data that PRIME deals with.
- c) Adopt disaster recovery procedures applicable to Databases containing Personal Data.
- d) Adopt Back Up procedures for Databases that contain Personal Data.
- e) Periodically attach compliance with these policies by addressees thereof.
- f) Securely manage the Databases that contain Personal Data.
- g) Keep a central registry of the Databases that contain Personal Data that includes the history since its creation, Treatment of the information and cancellation of the Database.
- h) Securely manage access to the Personal Databases contained in the information systems, in which we act as the Responsible or Supervisor for the Data Treatment.



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- i) Have a procedure to manage security incidents regarding Databases that contain Personal Data.
  - j) Regulate access to the Databases that contain Personal Data in contracts with third parties.
  - k) Process the queries and claims made by the Owners in the terms indicated in these policies and in the law.
  - l) Adopt an internal manual of policies and procedures to guarantee proper compliance with the law and, especially, to deal with queries and claims by the Personal Data Owners.
  - m) Inform the Superintendency of Industry and Commerce when presented with breaches to safety codes and existing risks in the handling of the information of the Owners.
  - n) Comply with the instructions and requirements issued by the Superintendence of Industry and Commerce or the competent authority in the matter.

## VII. RIGHT OF THE OWNERS

The Personal Data Owners contained in Personal Databases that rest in PRIME's information systems, 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 will be free and unlimited by the Owner of the Personal Data, without prejudice to legal provisions that regulate the exercise of the same. The exercise of Habeas Data, expressed in the following rights, constitutes a very personal power and will be exercised by the Data Owner exclusively, with the exceptions of the Law.

### *7.1. Right of access.*

This right includes the power of the Personal Data Owner to obtain, free of charge, 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 about the communications and/or assignments made regarding them, whether they are authorized or not.

### *7.2. Right to update and rectify*

The Data Owner has the right to know, update and rectify their Personal Data when they have had any variation, or in the case of partial, inaccurate, incomplete, fractional data that is misleading, or those whose Treatment is expressly prohibited or not has been authorized.

### *7.3. Right of cancellation.*

This right includes the power of the Personal Data Owner to cancel them or delete them when they are excessive, not relevant, or the Treatment is contrary to the rules, except in those cases contemplated as exceptions or required by Law and/or as necessary. in a specific contractual framework.

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#### *7.4. Right to revoke consent.*

The Data Owner has the right to revoke the consent or authorization that enabled PRIME 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.

In the case of request for revoking of the authorization of the Treatment of Personal Data related to the provision of the electric power service, the Company will indicate that without said authorization PRIME could not have it in the Database and therefore, the electric power service can not be supplied.

#### *7.5. Right of opposition.*

The Data Owner has the right to oppose the Treatment of their Personal Data, except in cases where such right does not proceed by legal provision or for violating general interests superior to the private interest. PRIME, based on the legitimate rights that the Owner of the Personal Data argues, will make a proportionality or weighted judgment in order to determine the pre-eminence or not of the particular right of the Owner of the Personal Data over other rights, for example, the right to information.

In case of opposition to the processing of personal data related to the provision of the electricity service, the Company will indicate that without any such authorization PRIME could not have it in the database and therefore not he could provide the electric power service.

#### *7.6. Right to file complaints and claims or to exercise actions.*

The Owner of the Personal Data has the right to present complaints and claims, as well as the actions that may be pertinent, to the Superintendency of Industry and Commerce or the competent entity, for the protection of their data once the consultation process has been exhausted. or a claim before the Responsible for Data Treatment or Supervisor of Data Treatment. PRIME will respond to the requirements made by the competent authorities with regards to these rights of the Data Owners.

#### *7.7 Right to grant authorization for data processing.*

In development of the principle of informed consent, the Data Owner has the right to grant his authorization, to process his Personal Data in PRIME.

In exceptional cases, this authorization will not be required in the following cases:

- a) When required by a public or administrative entity in compliance with its legal functions, or by court order.
- b) In the case of Public Data.
- c) In cases of medical or sanitary emergency.
- d) When it is Information Processing authorized by Law for historical, statistical or scientific purposes.
- e) In the case of Personal Data related to the Civil Registry of people.
- f) Databases and files whose purpose is national security and defense, as well as the prevention, detection, monitoring and control of money laundering and terrorist financing;

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- g) Databases whose purpose is and also contain intelligence and counterintelligence information;
  - h) Databases and archives of journalistic information and other editorial content;
  - i) Databases and files regulated by Law 1266 of 2008; and
  - j) Databases and files regulated by Law 79 of 1993.

In these cases, although the authorization of the Owner is not required, the other principles and legal provisions on the protection of Personal Data will apply.

Likewise, the Data Owner has the right to request proof of the authorization granted to the Responsible for the Data Treatment, except when expressly excepted as a requirement for Treatment, in accordance with the provisions of article 10 of the aforementioned law.

## VIII POLICIES

PRIME establishes the following general guidelines:

### 8.1. AUTHORIZATION GRANTED BY THE OWNER

In the Treatment, the prior and informed authorization of the Data Owner is required, which must be obtained through the " authorization for the treatment of personal data " format or by any other means that the Company decides to establish, where it is understood that they must all allow subsequent consultation.

Without exception, in order to be able to link individuals such as clients, suppliers, contractors or officials, the "authorization for data processing" form must be completed. This document must be filed out in the Owner's folder, in the case of suppliers, contractors and officials; and for customers, it must be digitized in the application defined for this purpose, as an integral part of the documentation requested at the time of the link.

Any positive or negative data that resides in the Database of a Data Treatment Supervisor, without the authorization granted by its Owner, must be eliminated immediately, once its absence is noticed as a result of the request of the Owner, supplied through the respective claim.

The Company has designated the Legal Management area as responsible for ensuring compliance with this policy, however, the responses to the queries and claims made by the Owners, will be under the responsibility of the areas that handle the different Databases.

The Responsible for the Data Treatment shall have the duty to certify the Data Treatment Supervisor every six months that the information provided is authorized, in accordance with the provisions of the Law.

### 8.2 EVENTS IN WHICH THE AUTHORIZATION IS NOT NECESSARY

The Owner's authorization will not be necessary in the following events:

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- a. The Information is required by a public or administrative entity in the exercise of its legal functions or by court order.
  - b. It is data of a public nature.
  - c. It is a case of medical or sanitary emergency.
  - d. The Processing of Personal Data is authorized by law for historical, statistical or scientific purposes.
  - e. It is Data related to the civil registration of people.

### 8.3. TREATMENT OF PERSONAL DATA

The operations that constitute the Processing of Personal Data by PRIME, as the Person responsible for or Supervisor thereof, will be governed by the following parameters and will have the following purposes.

#### a. Personal Data related to the Management of Human Resources.

- i. Treatment of Personal Data before the contractual employment relationship.

PRIME will process the Personal Data of its collaborators, as well as those that are applied for vacancies, at three times: before, during and after the employment relationship and/or services.

PRIME will inform the people interested in participating in a selection process, in advance, as to the rules applicable to the Treatment of Personal Data that the interested party provides, as well as those that are obtained during the selection process.

Once PRIME has exhausted the selection process, will report the negative result and deliver the Personal Data provided to the people not selected, unless the Data Owners authorize in writing the destruction thereof when the owner of the Personal Data is not selected. The information obtained by PRIME regarding those who were not selected, results of the psychotechnical tests and interviews, will be eliminated from their information systems, thus complying with the principle of purpose.

When PRIME hires personnel selection processes with third parties, will regulate the Treatment to be given to the Personal Data delivered by the interested parties in the. contracts, as well as the destination of the personal information obtained from the respective process.

The Personal Data and information obtained from the selection process regarding the personnel selected to work in PRIME will be stored in the personal folder, applying high levels and security measures to this information, due to the potential that such information contains sensitive data.

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

- ii. Data Treatment during the contractual employment relationship.

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PRIME will store the Personal Data and personal information obtained from the selection process of the collaborators in a folder identified with each one's name. This physical or digital folder will only be accessed and processed by Human Resources in order to manage the contractual relationship between PRIME and the employee.

The treatment that PRIME will give to Personal Data, will have the purpose of complying with the obligations derived from the contractual employment relationship, including but not limited to the management of the personnel that involves among others the payment and administration of payroll (wages, legal social benefits and extralegal, benefits, bonuses, refunds, insurance, make deductions authorized by law, by judicial authority or by the employee); make contributions to the Comprehensive Social Security System; the assignment of work elements such as communication and computer equipment, work space, email and others required by the characteristics of the position; insurance contracting; staff development; guarantee the safety and health of collaborators; ensure compliance with confidentiality obligations and other labor obligations; guarantee the right of freedom of association; contact their relatives when required; the issuance of labor certifications, advertising campaigns for the company's own issues; identification for security and image; for internal or external audits. Likewise, any other purpose that is compatible and can be considered comparable to those indicated.

The use of the information of the collaborators for purposes other than the administration of the contractual relationship, is prohibited in PRIME. The different use of the data and personal information of the collaborators will only proceed by order of the competent authority, provided that such authority lies within the organizations responsibilities. The above, except with prior written authorization documenting the consent of the Personal Data Owner or legal provision on the matter.

iii. Data processing after the termination of the contractual employment relationship.

After the employment relationship, whatever the cause, PRIME 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 labor information may contain Sensitive Data.

The Personal Data of former collaborators and/or pensioners will have the purpose of complying with the obligations derived from the existing labor relationship, including but not limited to the issuance of labor certifications; recognition of pension and/or pension substitutions, issuance of certificates for the settlement of pension bonds, certificates for collection and payment of partial pension contributions, actuarial calculations, recognition of benefits and internal or external audits.

PRIME is not allowed to yield said information to third parties, as doing so can set a deviation in the purpose for which the Personal Data was delivered by their Owners. The above, except with prior written authorization documenting the consent of the Personal Data Owner or legal provision on the matter.

## **b. Treatment of Personal Data of Shareholders.**

The Personal Data of the Company's Shareholders will be considered reserved information, since it

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is registered in the books of commerce and has the character of a reserve by legal provision. Consequently, access to such personal information will be carried out in accordance with the regulations contained in the Commercial Code, Law 964 of 2005, Decree 2555 of 2012 and the other regulations that apply on the matter. PRIME will only use the Personal Data of the Shareholders for the purposes derived from the existing statutory relationship.

#### c. Treatment of Personal Data of suppliers.

PRIME will only request the Personal Data that is necessary, pertinent and not excessive from its suppliers for the purpose of selection, evaluation and execution of the contract that may take place. When PRIME is required by legal nature to disclose data of the supplier's Legal person as a result of a contracting process, it will be carried out with the provisions that comply with the provisions of these policies and that alert third parties about the purpose of the information that is disclosed.

PRIME will collect the Personal Data of its collaborators, which are necessary, pertinent and not excessive from its suppliers, which for security reasons must be analyzed and evaluated, taking into account the characteristics of the services contracted with the supplier.

The personal data of the collaborators of suppliers collected by PRIME, will have the sole purpose of verifying the moral suitability and competence of the collaborators; therefore, once this requirement is verified, PRIME may return such information to the provider, except when it is necessary to preserve this data.

When PRIME delivers Personal Data of its collaborators to its suppliers, they must protect the Personal Data provided, in accordance with the provisions of these policies. For this purpose, the respective audit forecast will be included in the contract or document that legitimizes the delivery of the Personal Data. PRIME will verify that the requested data is necessary, pertinent and not excessive with regards to the purpose underlying the request for access to them.

#### d. Treatment of Personal Data in contracting processes.

The third parties that in contracting processes, alliances and cooperation agreements with PRIME, access, use, process and/or store Personal Data of PRIME collaborators and/or third parties related to said contractual processes, will adopt, as appropriate, the provisions of these policies, as well as the security measures indicated by PRIME according to the type of personal data being processed.

For this purpose, the respective audit forecast will be included in the contract or document that legitimizes the delivery of Personal Data. PRIME will verify that the requested data is necessary, pertinent and not excessive regarding the purpose of the Treatment.

#### e. Treatment of Personal Data of clients or users of the public electric energy services provided by PRIME.

The Personal Data contained in the Database of the Company whose Treatment is related to the provision of the electric energy service and with charges that are allowed to be made through the invoice by the Owner, will have the purpose of: (i) reading service user counters; (ii) the billing and collection for the provision of the electric energy service, public lighting, cleaning and those expressly authorized by the Owner; (iii) perform collection management for the electric energy service; (iv) the

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shipment and sale of products and services of the Company (ie promotions, advertising campaigns, events, contests, sale of Multi-services, offers, etc.); (v) carrying out surveys, studies and market research; and (vi) in general, everything necessary for the proper provision of the electric energy service, in accordance with Laws 142 and 143 of 1994.

#### **f. Treatment of Personal Data of the community in general.**

Data collection for Legal persons that PRIME is involved with in developing actions related to the community, either because of corporate social responsibility or any other activity shall be subject to the provisions of these policies.

For this purpose, PRIME will previously inform and obtain the authorization of the Data Owners in the documents and instruments used for this purpose and related to these activities.

In each of the cases described above, the areas of the organization that develop the business processes which involve personal data, should consider formulating rules and procedures that enable compliance and enforce the policies adopted here in their action strategies, in addition to preventing possible legal sanctions.

### **IX. PROCEDURE FOR THE EXERCISE OF THE OWNERS' RIGHTS BEFORE PRIME**

The Data Owners, or legally authorized interested party, that is, their successors and legal representatives, may submit requests to PRIME, which are classified as:

- *Consultation* of the information that resides about the Owners in the Operator's database.
- *Claims* in those events in which the owner considers that the information contained in the Operator's database should be subject to correction or update.

PRIME will designate a person or area to assume the function of protection of personal data, which will process the applications of the Owners, to exercise the rights referred to in Law 1581 of 2012 and this Decree.

In development of the above, PRIME adopts the following procedure:

- a. Applications may be submitted in person at their office located at Cra. 7 # 71 - 21, Bogotá, or by email to [notificationsjudicial@prime-energía.com](mailto:notificationsjudicial@prime-energía.com) . PRIME, in its sole discretion, may have other means for the Personal Data Owner to exercise their rights.
- b. PRIME must take the necessary measures to guarantee that the information of the Owners is provided only to the Owners, to the persons duly authorized by them or to their successors in title. Due to the above, the following documents must be provided as appropriate:
  - Legal person:
    - Valid identity document.
  - Owner Proxy:

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- Valid identity document.
  - Duly authenticated Power of Attorney by a notary of content recognition and signature in which the owner authorizes it to consult, with an issue date no greater than three (03) months. If it is a general power of attorney, they must attach its certificate of validity, issued by the respective notary with an issue date of no more than three months.
  - Identity document number of the owner of the information.
- Heirs or Successors
    - Valid identity document.
    - Owner's Civil Death Certificate.
    - Document accrediting the purpose for which it operates
    - Identity document number of the owner of the information.
  - Legal persons:
    - Certificate of existence and legal representation not earlier than three months from the date of it being issued; stating that the person who is consulting is the legal representative of the respective entity, provided that such verification cannot be carried out online through the consultation of databases of public or private entities.
    - Identity document of the person consulting.
  - Legal Person Owner Proxy:
    - If it is a proxy, they must prove their capacity as established above. In the event that the power of attorney is registered in the certificate of existence and legal representation of the corresponding legal person, the aforementioned certificate will suffice.
- c. When information requests are submitted in writing, the following information must also be attached:
- Name of the Owner of the Personal Data and its representatives, if applicable.
  - Concrete and precise request for information, access, update, rectification, cancellation, opposition or revocation of consent. In each case, the request must be reasonably substantiated so that PRIME can proceed as Responsible for the Personal Database to respond.
  - Physical and/or email address for notifications.
  - Documents supporting the request.
  - Signature of the request by the Owner of the Personal Data.
- d. If any of the requirements indicated here are missing, PRIME will notify the interested party within five (5) business days of receipt of the request, so that they can be remedied. If one (1) month passes without submitting the required information, it will be understood that the request has been withdrawn. PRIME may have physical and/or digital formats for the exercise



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of this right and they will indicate whether it is a query or a claim from the interested party.

- e. Within two (2) business days after the complete receipt of the request, PRIME will indicate that it is a pending claim. In the respective Database, a box must be entered indicating the following captions: "Claim in process" and "Claim resolved".
- f. When PRIME is Responsible for the Treatment of the Personal Data Database contained in its information systems, it will respond to the information request within a maximum term of ten (10) business days from the date of receipt of the said request. In the same term, it will rule when it verifies that it does not have Personal Data of the interested party in its information systems that exercises any of the indicated rights. When it is not possible to attend the request or consultation within said term, the interested party will be informed, stating the reasons for the delay and indicating the date on which their request will be met, which in no case may exceed five (5) business days following the expiration of the first term.
- g. In the event of a claim, the maximum term to respond will be fifteen (15) business days from the day following the date of receipt. When it is not possible to attend the request within said term, the interested party will be informed, stating the reasons for the delay and indicating the date on which their request will be met, which in no case may exceed eight (8) business days following the expiration of the first term.
- h. In the cases in which PRIME holds the status of Data Treatment Supervisor, it will inform the Owner or interested party in the Personal Data of such situation and, within a maximum term of two (2) business days, will communicate the request to the person Responsible for the Data Treatment with In order for them to respond to the submitted request for consultation or claim. A copy of said communication will be addressed to the Owner of the Personal Data or interested party, so that they have knowledge of the identity of the Person Responsible for the Personal Data and consequently of the main obligation to guarantee the exercise of their right.
- i. PRIME will document and store the requests made by the Data Owners or by those interested in exercising any of the rights, as well as the responses to such requests. This information will be treated in accordance with the rules applicable to the correspondence of the organization.
- j. To go to the Superintendence of Industry and Commerce in the exercise of the legal actions contemplated for the Data Owners or interested parties, the process of queries and/or claims described here must be previously exhausted.

## **X. PROHIBITIONS.**

In development of these PRIME personal information security policies, the following prohibitions and sanctions are established as a consequence of non-compliance.

- a. PRIME prohibits access, use, management, transfer, communication, storage and any other Treatment of Personal Data of a sensitive nature without the authorization of the Owner of the Personal Data and/or PRIME.
  - Failure to comply with this prohibition by PRIME employees will be considered a serious offense, which may lead to the termination of the employment relationship. The aforementioned, without prejudice to the legal actions that may take place.

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- The breach of this prohibition by the suppliers that contract with PRIME will be considered as a serious cause to terminate the contract, without prejudice to the actions that may take place.
  - In contracts with suppliers, where the contracted object is related to Personal Data, a provision will be agreed with regards to the damages that may be caused to PRIME as a consequence of the imposition of fines, operational sanctions, among others, by the competent authorities and as a consequence of the reckless and negligent action of the supplier.
- b. PRIME prohibits the transfer, communication or circulation of Personal Data, without the prior, written and express consent of the Owner of the Personal Data or without the authorization of PRIME. The transfer or communication of Personal Data must be registered in the central registry of PRIME Personal Data and have the authorization of the Custodian of the Database.
- c. PRIME prohibits access, use, transfer, communication, Treatment, storage and any other Treatment of Personal Data of a sensitive nature that becomes identified in an audit procedure in application of the rule on the proper use of the organization's computer resources. and/or other norms and/or policies issued by PRIME for these purposes.

The Sensitive Data that is identified will be informed to its Owner, in order to proceed to eliminate it; if this option is not possible, PRIME will proceed to eliminate them safely.

- d. PRIME prohibits the addressees of these policies from processing any Personal Data that may give rise to any of the conduct described in the Computer Crime Law 1273 of 2009.
- e. PRIME prohibits the Processing of Personal Data of Children and adolescents under the age of 18, unless expressly authorized by their legal representatives. All Treatment that is made with regards to the data of minors, the prevailing rights that the Political Constitution recognizes to these, in harmony with the Code of Childhood and Adolescence, must be ensured.

## **XI. INTERNATIONAL TRANSFER OF DATA.**

Transfer of Personal Data to countries that do not provide adequate levels of data protection is prohibited. Safe countries are understood to be those that meet the standards set by the Superintendence of Industry and Commerce.

In exceptional cases, international Data Transfers may be made by PRIME when:

- a. The Owner of the data has given his prior, express and unequivocal authorization to carry out the Transfer.
- b. The Transfer is necessary in order to carry out a contract between the Owner and PRIME as Responsible and/or Supervisor for the Treatment.
- c. These are bank and stock transfers in accordance with the legislation applicable to such transactions.
- d. In the case of data transfer in the framework of international treaties that are part of the

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Colombian legal system.

- e. Legally required transfers to safeguard a public interest.

At the time of submitting an international transfer of personal data, prior sending or receiving them, PRIME will sign the agreements that regulate the obligations, burdens and duties that arise for the parties involved in detail.

The agreements or contracts that are concluded must comply with the provisions of these policies, as well as the applicable legislation and jurisprudence regarding the protection of Personal Data.

The content of the procedure shall be adapted at all times to the provisions in force regarding the security of personal data.

## XII. CHANGE CONTROL

<i>VERSION</i>	<i>DATE</i>	<i>VERSION JUSTIFICATION</i>
1		Creation