

## **PERSONAL DATA PROTECTION GUIDE**

### **INTERCONEXIÓN ELÉCTRICA S.A. E.S.P.**

#### **1. PURPOSE**

Adopting the internal manual of policies and procedures to ensure proper compliance of Law 1581 of 2012, its complementary norms and, especially, for solving queries and claims related to personal data protection.

#### **2. SCOPE**

Establishing the guidelines to guarantee the constitutional right of all people in Colombia to know, update, and rectify information collected about them in databases or files, and other constitutional rights, liberties, and guarantees referred to in the Political Constitution, especially, the citizen's right to privacy.

#### **3. REFERENCES:**

- a. Colombian Political Constitution.
- b. Law 1581 of 2012 regarding General Provisions for personal data protection.
- c. Decree 1377 of 2013, whereby Law 1581 of 2012 is partially regulated.
- d. Circular letters from the Superintendence of Industry and Commerce.
- e. Information and Knowledge Policy of ISA and its companies.

#### **4. GUIDELINES**

**4.1 Statement.** According to the management's commitment to an organizational culture of respect for personal data protection, we adopted the applicable guidelines for all personal information recorded in the databases of the Personal Data Processing Controller.

Hence, these guidelines are mandatory and of strict compliance by the Personal Data Processing Controller, which includes administrators and employees, who must comply with them.

## 4.2 Personal Data Processing Controller

Name:	Interconexión Eléctrica S.A. E.S.P.
TAX I.D.:	860.016.610-3
Domicile:	Medellín
Address:	Calle 12 Sur 18-168
Telephone number:	3157118
Website:	www.isa.co
E-mail:	notificacionesjudicialesisa@isa.com.co

The Personal Data Processing Controller is a mixed utility company, ruled by Law 142 of 1994, whose acts not regulated by such Law are exclusively governed by private law regulations.

**4.3 Definitions.** For the purposes of these guidelines, the definitions contained in Law 1581 of 2012 and its regulatory decrees or those regulations that add, modify, or replace them, are accepted.

However, to facilitate the understanding of these guidelines, the following concepts are detailed:



Figure 1. Basic Concepts. Personal Data

**Personal Data:** Any information related or that may be associated with one or more certain or ascertainable natural persons.

**Database:** Organized set of personal data.

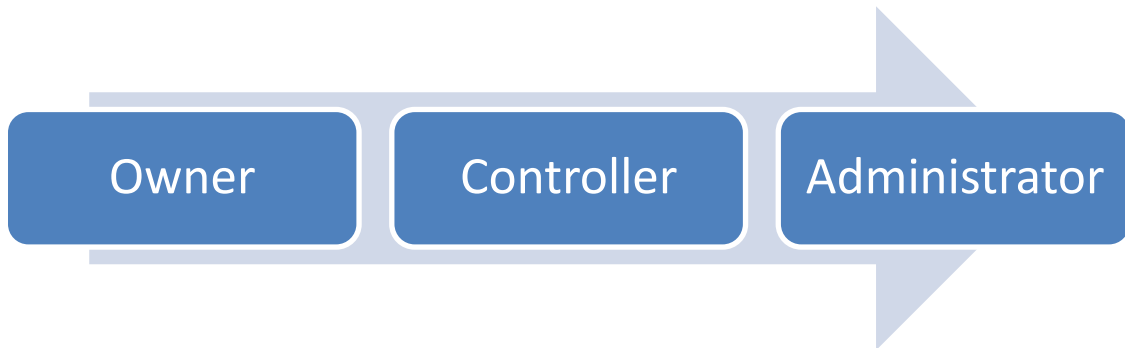


Figure 2. Basic Concepts. Parties: Owner, Controller, and Administrator.

**Owner:** Natural person who owns the personal data.

**Personal Data Processing Controller:** Company established in these guidelines.

**Personal Data Processing Administrator:** Natural or legal person, public or private, who by himself/itself or in association with others, performs the personal data processing on behalf of the Personal Data Processing Controller (for example: suppliers, clients, among others).

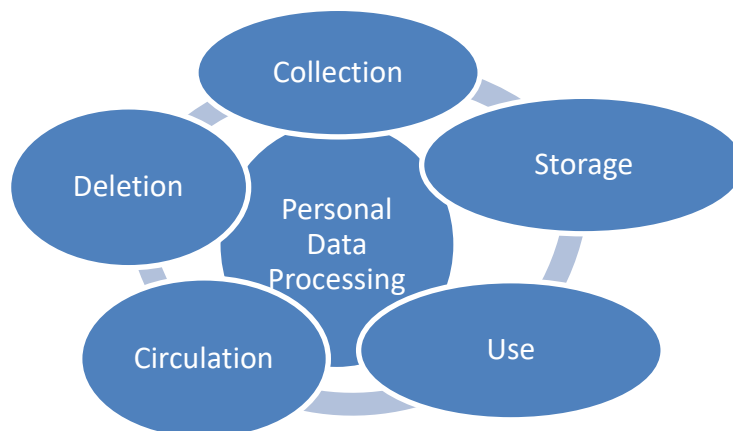


Figure 3. Basic Concepts. Personal Data Processing

**Processing:** Any operation or set of operations on personal data or databases, such as the collection, storage, use, circulation, or deletion, carried out by the Controller or the Administrator.

**4.4 About Personal Data Protection.** When the Law refers to personal data processing policies, it shall mean this guide; and especially, when a reference is made to the incorporation of data processing policies in authorizations, registrations, notices, commercial nominations, contracts, messages or any other document, it shall be understood to have been made to the following terms:

**4.4.1 Processing Purpose:** The personal information processing carried out by the Controller shall be treated for complying with the specific purposes for which the Owner provided the Personal Data, at the time of authorization.

Notwithstanding the foregoing, in any case, personal data may be collected and processed for the purposes of each database, in accordance with the provisions of the National Database Registry (RNBD) administered by the Superintendence of Industry and Commerce.

However, the Owner's authorization shall allow the Controller to process data with the following purposes:

- Comply with current regulations in Colombia for Utility Companies.
- Recognize the legitimate interest of the Personal Data Processing Controller on public services it provides in accordance with the law.
- Comply with or maintain the legal or contractual obligations acquired with shareholders, employees, clients, suppliers, other stakeholders, and even addressing requests, complaints, and claims.
- Carry out commercial management and relations with stakeholders.
- Provide information related to campaigns, projects, warnings, programs, or transactions.
- Provide commercial, advertising, or promotional information, contests, and events, regarding any product and/or service.
- Contact the Owner to ask for information or opinion about the Controller's products or services.
- Carry out market and/or statistical analysis and/or segmentation.
- Present value-added services in relation to the information it manages from its stakeholders.
- Transfer and transmit, within or outside of Colombia, personal data to companies financially related to the Personal Data Processing Controller or with which it reaches legally permitted commercial agreements.

- Transfer and transmit, within or outside of Colombia, personal data to third parties when this is necessary for the fulfillment of contractual obligations, the law, provide a good service or when for technological reasons it is essential to maintain a good service.
- Allow access to information and personal data to auditors or third parties to carry out internal or external audit processes.
- Determine the habits of use, the IP address of the device used, geographic location, information on the Owner's cookies, among others, derived from the entry and/or registration of personal data on the digital or mobile platforms of the Personal Data Processing Controller, when applicable.
- Provide functions and services related to tastes, location, and preferences.
- Link third parties with the activities carried out, such as sharing news, events or situations, commenting on it, sending it by email to a third party, indicating that it is to its liking or interest of contacts/friends to see it on social networks in which the Owner is present; in internal operations, including troubleshooting, data analysis, research, development, and service improvement.
- Transfer the Owners' information as part of the assets, in the event of sale thereof by the Personal Data Processing Controller.

**4.4.2 Authorization.** The Owner understands that the authorization may appear in a physical, electronic document or in any other format that guarantees its subsequent consultation, or through any other technical or technological mechanism.

Likewise, the authorization may be issued when the Owner unequivocally gives permission to grant it.

Finally, the Owner accepts and declares to know that the Personal Data Processing Controller may supply this information to related companies or within the same company group, inside and outside the Colombian territory.

**4.4.3 Delivery of personal data to authorities.** The Personal Data Processing Controller may supply personal information to the authorities, depending on their request.

In this event, the legality of the request, the relevance of the data requested in relation to the purpose expressed by the authority will be verified, and the delivery of personal information will be documented, warning that the delivery is made by virtue of an authority requirement and the duty of protection on the part of who receives the information.

**4.4.4 Sensitive Data Processing.** The Personal Data Processing Controller shall only collect sensitive personal data when it is necessary and pertinent for its business activity and shall adopt the security measures that are proportional to the protection of this type of data. Some examples of sensitive data are biometric data, including images, photographs, videos, voice and/or sounds, fingerprints, among others.

Taking into account the condition of critical infrastructure that must support the permanent and continuous provision of public services and that it is subject to national security, the Owners are warned that the authenticity for the use of certain platforms, networks, or physical or virtual accesses, and verification of the Owners' identity, requires some sensitive data. Additionally, among the sensitive data, there are those collected during the participation in events organized or promoted by the Personal Data Processing Controller, inside or outside the facilities or in any of the activities carried out based on the relationship between the Owner and the Personal Data Processing Controller. Then, by participating in the event, the Owner authorizes the processing of its data to fulfill the purposes set forth herein.

In addition, this authorization includes using rights related to the Owner's image or images, so that it/they may be incorporated into any type of work, physical or digital, electronic, optical, magnetic, in networks (Intranet and Extranet), data messages or similar, communication platforms and social networks and, in general, for any means or support known or to be known in the future, and especially, so that they are used for internal or external publications of the Personal Data Processing Controller or its affiliates.

In addition, in relation to sensitive data, everything contained in this Guide applies, including the processing purpose of said data, the rights, and procedure to address queries and claims.

**4.4.5 Personal Data Processing of Children and Adolescents.** The personal data processing of children and adolescents is prohibited, except for public data, in accordance with the provisions of the law and when said processing complies with the following parameters and requirements:

- a. That responds and respects the best interests of children and adolescents.
- b. That the respect for their fundamental rights is guaranteed.

Once the aforementioned requirements have been fulfilled, the legal representative of the child or the adolescent will grant the authorization when the minor exercises his or her right to be heard, an opinion that shall be assessed

taking into account the maturity, autonomy, and ability to understand the matter.

The Controller and the Administrator of the children and adolescents' personal data must ensure the proper use of such data. For this purpose, the principles and obligations established in Law 1581 of 2012 and regulatory Decree 1377 of 2013 and the regulations that modify or add them must be applied.

**4.4.6 Owner's Rights.** The Personal Data Owner has the rights enshrined in Article 8 of Law 1581 of 2012, which are generally described below:

- a. Freely access the personal data subject to processing.
- b. Know, restate, and rectify his/her personal data in front of the Personal Data Processing Controller or the Personal Data Processing Administrator.
- c. Request proof of the authorization granted, except when expressly excepted as a requirement for the processing, in accordance with the provisions of Article 10 of Law 1581.
- d. Be informed by the Personal Data Processing Controller or the Personal Data Processing Administrator, upon request, regarding the use that has been given to his/her personal data.
- e. Submit complaints to the Superintendence of Industry and Commerce (SIC) for violations of the provisions of current regulations.
- f. Revoke the authorization and/or request the data deletion if there is no legal or contractual duty that prevents it from being deleted.
- g. Refrain from answering questions about sensitive data. Responses that deal with sensitive data or data on children and adolescents will be optional.

**4.4.7 Addressing requests, complaints, and claims for Personal Data Protection.** The Compliance Officer is responsible for dealing with requests, queries, and claims, before which the Information Owner can exercise his/her rights to know, update, rectify, and delete the data and revoke the authorization. The Compliance Officer may be contacted through the E-mail [protecciondatospersonales@ISA.com.co](mailto:protecciondatospersonales@ISA.com.co), through written communication sent to Calle 12 sur No. 18 168, in Medellín, or by calling 018000941341.

**4.4.8 Procedure for the exercise of rights.** In compliance with the rules on personal data protection, the Personal Data Processing Controller presents the procedure and minimum requirements for the exercise of Owners' rights.

For the filing and attention of your request, we ask the Owner to supply the following information:

Full name and surname; contact details (physical and/or electronic address and contact telephone numbers); means to receive a response to your request; reason(s)/event(s) that give rise to the claim with a brief description of the right you want to exercise (know, update, rectify, request proof of the authorization granted, revoke it, delete it, access the information); signature (if applicable); and identification number.

Below is the procedure for queries and claims:

#### **4.4.8.1 Queries.**

The Owner may consult his/her personal data free of charge: (i) at least once every calendar month, and (ii) whenever there are substantial modifications to the Information Processing policies that motivate new consultations.

For queries whose frequency is greater than one for each calendar month, the Personal Data Processing Controller may charge the Owner the shipping, reproduction, and, where appropriate, certification of documents. The reproduction costs may not be greater than the recovery costs of the corresponding material.

The Personal Data Processing Controller shall respond to queries made by the Information Owner or his/her successors, within a maximum term of ten (10) business days from its date of receipt. When it is not possible to address the query within said term, the interested party shall be informed, expressing the reason for the delay and indicating the date on which the query will be answered, which in no case may exceed five (5) business days following the maturity of the first term.

#### **4.4.8.2 Claims.**

The Owner or his/her successors who consider that the information contained in a database must be subject to correction, updating, or deletion, or when they notice the alleged breach of any of the duties contained in Law 1581 of 2012 or in the regulations that regulate or modify it, may file a claim with the Personal Data Processing Controller or the Personal Data Processing Administrator, which will be processed under the following rules:

- a. The claim will be formulated by a request addressed to the Personal Data Processing Controller or the Personal Data Processing Administrator, with the Owner's identification, the description of events that give rise to the claim, his/her address, and accompanying the documents that the Owner



wants to validate. If the claim is incomplete, the interested party will be required within five (5) days after receipt of the claim to correct the errors. If two (2) months have elapsed since the request date, without the applicant submitting the required information, it shall be understood that the claim has been withdrawn. In the event that the Personal Data Processing Controller is not competent to resolve the claim, it will transfer such claim to the appropriate party within a maximum period of two (2) business days and will inform the interested party of the situation.

- b. Once the complete claim is received, a legend that says "claim pending" and the reason for it, will be included in the database containing the information in the claim, within a term not exceeding two (2) business days. Said legend must be kept until the claim is solved.
- c. The maximum term to address the claim will be fifteen (15) business days counted from the day following its receipt. If it is not possible to address the claim within said term, the interested party shall be informed of the reasons for the delay and the date on which their claim will be addressed, which in no case may exceed eight (8) business days after the expiration of the first term.
- d. The request to delete the information and the revocation of the authorization will not proceed when the Owner has a legal or contractual duty to remain in the database. If the respective legal term has expired, the Personal Data Processing Controller and/or the Personal Data Processing Administrator, as the case may be, have not deleted the personal data, the Owner shall be entitled to request the Superintendence of Industry and Commerce to order the revocation of the authorization and/or the deletion of personal data.

**4.4.9 Complaint procedure before the Superintendence of Industry and Commerce.** The Owner or successor in title may only file a complaint with the Superintendence of Industry and Commerce once he/she has exhausted the query or claim process before the Personal Data Processing Controller, according to the procedure.

**4.4.10 Authenticity of the information.** Personal data owners are obliged to supply the Personal Data Processing Controller with accurate personal information to fulfill the purpose for which the information is collected from the owner. The Personal Data Processing Controller assumes the veracity of the information provided by the Owners and shall not assume the obligation to verify their identity, nor the veracity, validity, sufficiency, and authenticity of the data that

each of them provides. Therefore, they shall not assume responsibility for damages and/or prejudice of any nature that may have originated in the lack of veracity, validity, sufficiency, or authenticity of the information and personal data, including damages that may be due to homonymy or identity theft.

**4.4.11 Validity.** The Owner accepts and acknowledges that the authorization for data processing shall be in force for as long as the Personal Data Processing Controller carries out the activities pertaining to its corporate purpose and/or when the data owner decides to revoke the authorization thereof.

Therefore, the databases in which the personal data will be registered shall have a validity equal to the time in which the information is kept and used for the purposes described in this Guide. In any case, the data is necessary to comply with the legal and/or contractual obligations in charge of the Personal Data Processing Controller, especially in accounting, tax, and fiscal matters or for all the time necessary to meet the provisions applicable to the subject in question, the administrative, accounting, fiscal, legal and historical aspects of the information, or in any event provided by law.

The Personal Data Processing Controller may unilaterally change the terms of this Guide, and therefore undertakes to publish any modification, without affecting Owners' rights.

**4.5 Compliance Officer:** The Compliance Officer is appointed by the Personal Data Processing Controller to ensure the effective implementation of this Guide and to comply with personal data protection regulations, as well as the implementation of good personal data management practices by the Personal Data Processing Controller and, especially, shall be in charge of processing the Owners' requests, for exercising the rights referred to in Law 1581 of 2012 and other concordant regulations.

**4.6 Information's Safety.** Considering that personal data is information and intangible assets, it is understood that the policies and procedures of the Personal Data Processing Controller in these matters apply to them.

**4.7 Application.** This Guide will rule as of January 23, 2019.