

**PRIVACY POLICY  
NIDIA OSORIO & CO S.A.S.**

**1. GENERAL CONSIDERATIONS**

Article 15 of the Constitution of the Republic of Colombia establishes the right of any person to know, update and rectify the personal data that exists about them in the data banks or files of public and/or private entities. Likewise, it orders those who have personal data of third parties to respect the rights and guarantees provided in the Constitution when such information is collected, processed, and circulated.

Likewise, in justice and equity with articles 15 and 20 of the Constitution, everyone has the right to receive truthful and impartial information.

**NIDIA OSORIO & Co. S.A.S.** is committed to the compliance of regulations on personal data protection and respect for the rights of the Data Subject. Therefore, it adopts the following **Privacy Policy (PP)** of mandatory application in all activities involving the processing of personal data, and of mandatory compliance by the company, its managers, employees, and officers. The PP shall in no case be less than the duties contained in Law 1581 of 2012.

**2. MANDATORY COMPLIANCE**

These policies are of mandatory and strict compliance by **NIDIA OSORIO & Co. S.A.S.**, its administrators, employees in Colombia, as well by contractors and third parties acting on behalf of **NIDIA OSORIO & Co. S.A.S.**

All employees of **NIDIA OSORIO & Co. S.A.S.** must observe and respect these policies in the performance of their duties.

**3. DEFINITIONS**

**NIDIA OSORIO & Co. S.A.S.:** It refers to the law firm **NIDIA OSORIO & Co. S.A.S.**

**Authorization:** Prior, express, and informed consent of the Data Subject to carry out the personal data processing. The authorization may be written, verbal or through unequivocal conducts that allows the reasonable conclusion that the Data Subject granted authorization.

**Consultation:** Request from the Data Subject or people authorized by the Data Subject or by law to know the information about him/her in databases or files.

**Personal data:** Any information linked to or associated with one or more specific or determinable natural persons. Data can be classified as sensitive, public, private and semi-private.

**Sensitive personal data:** Information that affects the intimacy of the Data Subject or which undue use may give rise to their discrimination, such as those that disclose their race or ethnic background, political preference, religious or philosophical convictions, affiliation to unions, social, human rights organizations, or entities that guarantee the rights of opposition political parties, as well as the data pertaining to health, sexual life and biometric data (fingerprints, among others).

**Public personal data:** It is the data qualified as such according to the mandates of the law or the Constitution and is all data that is not semi-private, private, or sensitive. Public data includes, among others, data pertaining to the marital status of people, their profession or craft, and to their capacity as merchant or public servant. Given their nature, public data may be contained, among others, in public records, public documents, gazettes and official bulletins, and judicial rulings duly executed, not subjected to confidentiality.

**Private personal data:** It is data that due its intimate or reserved nature, is only relevant to the Data Subject. Examples: merchant's books, private documents, and information extracted from the inspection of the domicile.

**Semi-private personal data:** Semi-private is data that is not of an intimate, reserved, or public nature and whose knowledge or disclosure may be of interest not only to the Data Subject, but also to a certain sector, group of persons or to society in general, such as, among others, data referring to the fulfillment or non-fulfillment of financial obligations or data relating to relations with social security entities.

**Data processor:** Natural or legal person, whether public or private, which by itself or in association with others, conducts the Personal Data Processing on behalf of the data controller.

**Claim:** Request from the data owner or the persons authorized by the Data Subject or by law to correct, update or delete their personal data or when they notice that there is an alleged breach of the data protection regime, according to article 15 of Law 1581 of 2012.

**Data Subject:** Natural person whose personal data is the object of processing.

**Processing:** Any operation, or set of operations with personal data, such as, among others, the collection, storage, use, circulation, or erasure of such information.

**Transmission:** Processing of personal data that implies the communication of such data within or outside the territory of the Republic of Colombia, and whose purpose is the processing operation by the Processor on behalf of the Controller.

**Procedural requirement:** The Data Subject may only file a complaint before the Superintendence of Industry and Commerce once the consultation or

complaint process has been exhausted before the Data Controller or Data Processor, according to article 16 of Law 1581 of 2012.

#### **4. OBJECT**

This document establishes the Privacy Policy of **NIDIA OSORIO & Co. S.A.S.** identified with NIT 901.260.558-0, domiciled at Carrera 9 # 80 – 15 Office 505, Bogotá D.C., Colombia, in compliance with the provisions of article 15 of the Political Constitution, Law 1581 of 2012, Law 1266 of 2008, Single Decree 1074 of 2015, External Circular 005 of 2017 of the Superintendence of Industry and Commerce for the implementation of the Principle of Demonstrated Responsibility; provisions that establish and describe the mechanism through which the proper and lawful handling of personal data processed by **NIDIA OSORIO & Co. S.A.S.**, must be guaranteed, and in general all the other norms that regulate or complement what concerns the protection of personal data, this in order to guarantee the holders an adequate exercise of their right to Habeas Data.

#### **5. SCOPE**

The policy applies to all personal information registered in the databases of **NIDIA OSORIO & Co. S.A.S.**, which acts as the party responsible for the processing of the personal data.

#### **6. DATA CONTROLLER**

**NIDIA OSORIO & Co.** is a SAS Company and is the data controller.

**City:** Bogotá D.C.

**Correspondence:** Carrera 9 # 80 – 15 Office 505

**Website:** <https://www.nidiaosorio.co/>

**E-mail:** [nosorio@nidiaosorio.co](mailto:nosorio@nidiaosorio.co)

#### **7. PRINCIPLES FOR THE PROCESSING OF PERSONAL DATA**

The processing of personal data must be conducted in compliance with the general and special rules on the subject and for activities permitted by law.

In the development, interpretation and application of this policy, the following principles shall be applied harmoniously and integrally:

##### **7.1. Principles related to the recollection of personal data**

**Principle of freedom:** Unless otherwise provided by law, data may only be collected with the prior, express, and informed consent of the Data Subject. Personal data may not be obtained or disclosed without prior authorization of the owner, or in the absence of legal or judicial mandate that relieves consent.

The Data Subject must be informed in a clear, sufficient, and prior manner about the purpose of the information provided and therefore, no data may be collected without the clear specification about the purpose of the same.

The principle of freedom must be observed both in the case of data that are collected through forms and those that are part of the attachments or documents provided by the Data Subjects to **NIDIA OSORIO & Co. S.A.S.**

**Principle of limitation:** Only personal data that are strictly necessary for the fulfilment of the purposes of the processing should be collected, so that the recording and disclosure of data that are not closely related to the purpose of the processing is prohibited. Consequently, every reasonable effort must be made to limit the processing of personal data to the minimum necessary. In other words, the data must be: (i) adequate, (ii) relevant and (iii) according to the purposes for which they were intended.

## **7.2. Principles related to the use of personal data**

**Principle of purpose:** The processing must obey a legitimate purpose in accordance with the Constitution and the law, which must be informed to the Data Subject. The Data Subject must be informed clearly, sufficiently and in advance about the purpose of the information provided and, therefore, data may not be collected without a specific purpose.

**Principle of temporality:** Personal data will be kept only for the reasonable and necessary time to fulfill the purpose of the processing and the legal requirements or instructions of the supervisory and control authorities or other competent authorities. The data will be kept when it is necessary to comply with a legal or contractual obligation. To determine the term of the processing, the rules applicable to each purpose and the administrative, accounting, fiscal, legal, and historical aspects of the information will be considered.

## **7.3. Principles related to the quality of information**

**Principle of veracity or quality:** The information subject to processing must be truthful, complete, accurate, updated, verifiable and understandable. The processing of partial, incomplete, fractioned, or misleading data is prohibited. Reasonable measures must be taken to ensure that the data is accurate and sufficient, and when requested by the Data Subject or when **NIDIA OSORIO & Co. S.A.S.** so determines, they must be updated, rectified, or deleted when appropriate.

## **7.4. Principles related to the protection, access, and circulation of personal data**

**Principle of security:** Each person linked to **NIDIA OSORIO & Co. S.A.S.** must comply with the technical, human, and administrative measures needed to

provide security to the records avoiding their adulteration, loss, consultation, use or unauthorized or fraudulent access.

**Principle of transparency:** The right of the Data Subject to obtain at any time and without restrictions, information about the existence of data pertaining thereto, must be guaranteed in the processing.

**Principle of restricted access:** Only the following persons will be allowed access to personal data:

- Data Subject;
- Third party authorized by the Data Subject;
- Persons who by legal mandate or court order are authorized to know the Data Subject's information.

**Principle of restricted circulation:** Personal data may only be sent or provided to the following persons:

- To the Data Subject;
- To third party authorized by the Data Subject
- To public or administrative entities in the exercise of their legal functions or by court order.

**Principle of confidentiality:** All persons who intervene in the Personal Data Processing are obliged to guarantee the confidentiality of the information, even after the end of their relationship with any of the tasks involved in the processing and may only provide or communicate personal data when this corresponds to the development of the activities authorized by law.

## **8. THE PROCESSING TO WHICH THE PERSONAL DATA WILL BE SUBJECTED AND THE PURPOSE OF SUCH PROCESSING**

### **8.1. Data processing**

**NIDIA OSORIO & Co.** will process personal data in accordance with the conditions established by the Data Subject, the law, or the competent public entities in order to comply in particular with the activities of its commercial activity, general management, financial management, administration, organization, promotion, offers, innovation, development of new products, processes, projects, technologies, services, scientific developments, for its own benefit or for the benefit of third parties.

**NIDIA OSORIO & Co.** carries out the processing of personal data, in its capacity as data controller in the development of its corporate purpose and the ordinary course of its business; collects, stores, uses, transfers, transmits, updates, corrects, deletes, and performs other operations permitted by law, on personal data provided by customers, suppliers, shareholders, employees and

other holders of personal data to which **NIDIA OSORIO & Co.** is linked in any way.

Among the data collected and administered by **NIDIA OSORIO & Co.**, are included, but are not limited to: a) first and last names; b) profession or trade; c) type and number of identification document; d) place of issuance of identification document; e) gender; f) date and place of birth; g) age; h) level of schooling; i) RUT of the company or natural person; j) identification of the company where the Data Subject works and/or represents; k) address of the company where the Data Subject works and/or represents; l) position or occupation; m) area of the company where the Data Subject works and/or represents; n) marital status; o) name of spouse or permanent partner; p) name of dependents; q) relationship of dependents; r) contact information; s) social security entities; t) type and number of bank account used for the payment of payroll or the products and/or services contracted, as well as the name of the bank; u) sensitive data such as those related to health, in terms of medical history, orders and list of tests.

## 8.2. Purposes of processing

**NIDIA OSORIO & Co.** will process personal data for the following purposes:

- (i) To carry out the pertinent actions for the development of the company's corporate purpose in relation to the fulfillment of the purpose of the contract entered with the Data Subject;
- (ii) To manage procedures such as request, complaints, claims;
- (iii) Invitations to events and offering of new services;
- (iv) Contacting the Data Subject by e-mail to send statements, account statements or invoices in connection with the obligations arising (such as SMS or MMS), e-mail or digital media (such as WhatsApp, Facebook or Instagram) to: (i) conduct satisfaction surveys; (ii) confirm personal data; and (iii) offer commercial information about services, promotions and/or discounts;
- (v) To inform and invite to events and coordinate their management and realization;
- (vi) To send news related to loyalty campaigns or service improvement;
- (vii) To comply with the obligations contracted by **NIDIA OSORIO & Co.**, with the Data Subject in relation to the payment of salaries, social benefits and other retributions established in the employment contract or as provided by law (in the case of employees of the organization);
- (viii) To provide information to third parties with which **NIDIA OSORIO & Co.** has a contractual relationship and that it is necessary to deliver it to them for the fulfillment of the contracted object.

**PARAGRAPH:** The treatment that **NIDIA OSORIO & Co.** will carry out with the personal information will consist of the collection, storage, use and circulation of the data for the purposed listed above. In addition, **NIDIA OSORIO & Co.** may

transmit such data to third parties in Colombia or abroad to carry out the processing of such data on behalf of **NIDIA OSORIO & Co.** for the development of the purposes listed above. **NIDIA OSORIO & Co.** may also send the data to parent companies, subsidiaries, or companies related to itself in Colombia and abroad, or commercial allies to treat the information for the same purposes for which they were collected.

## **9. DATA AND RIGHTS OF CHILDREN AND ADOLESCENTS**

In accordance with the personal data protection regulations, the personal information of children and adolescents is subject to special protection by **NIDIA OSORIO & Co.** This information may be processed in the development of social, promotional and benefit activities for the employee's children. The authorization for the processing must be previously granted by the legal representative of the minor, after the minor has exercised his/her right to be heard according to the reasonable determination of his/her level of maturity, autonomy, and capacity to understand the matter. The processing of this special type of data is subject to compliance with the conditions set by the regulations on personal data protection, such as the following to: (i) ensure that the processing respects the best interests, the prevailing rights and fundamental rights of children and adolescents; (ii) treat only data that are of a public nature or that if private or semi-private data is processed, it is done under the terms of Ruling C-748 of 2011 of the Constitutional Court; (iii) inform the minor and his legal representative about the terms and conditions of the respective activity. **NIDIA OSORIO & Co.** will only process data of minors when the above conditions are met. For purposes of the authorization, the legal representative of the child or adolescent may give it guaranteeing that as far as possible the minor will be heard, and his/her opinion will be valued considering his/her maturity, autonomy, and capacity to understand the matter.

## **10. DATA AND RIGHTS OF DATA SUBJECTS REGARDING THE PROCESSING OF SENSITIVE DATA**

Sensitive data will be collected and processed for the purposes listed in point 1 of this policy. **NIDIA OSORIO & Co.** is committed to protecting privacy during the processing of your identifiable and sensitive personal data. When the Data Subject expressly authorizes the use of sensitive data, **NIDIA OSORIO & Co.** will use them with special care and in accordance with the rules established in the data protection legislation and its regulatory decrees. In the event of collection of sensitive data, the following actions shall always be taken: (i) to inform the Data Subject that, since it is sensitive data, he/she is not obliged to authorize its processing; (ii) to inform the Data Subject explicitly and previously, in addition to the general requirements of authorization for the collection of any type of personal data, which of the data to be processed are sensitive and the purpose of the processing and obtain his/her express consent; (iii) no activity may be conditioned on the Data Subject providing sensitive personal data.

## **11. RIGHTS OF THE DATA SUBJECTS**



As a Data Subject, you have the right: (i) to access free of charge to the data provided that has been subject to processing; (ii) to know, update, and rectify your information against partial, inaccurate, incomplete, split data inducing to error, or those whose processing is expressly prohibited, or was not authorized; (iii) to request proof of the authorization granted to the Data Controlled except when expressly excepted as a requirement for the processing; (iv) to submit before the Superintendence of Industry and Commerce complaints for infractions to the provisions of the law regarding the use given to personal data and sensitive personal data; (v) to repeal the authorization and/or request suppression of data, when the processing does not respect the constitutional and legal principles, rights and guarantees; (vi) to refrain from answering questions about sensitive data. The answers that deal with sensitive data or data of children and adolescents shall be optional.

## **12. DUTIES OF NIDIA OSORIO & Co. S.A.S. AS DATA CONTROLLER**

**NIDIA OSORIO & Co. S.A.S.** shall comply with the following duties, without prejudice to the other provisions of the applicable regulatory framework:

- 12.1. To guarantee the holder, always, the full and effective exercise of the right of habeas data.
- 12.2. To request and keep, under the conditions provided for in the applicable regulatory framework, a copy of the respective authorization granted by the holder.
- 12.3. To inform to the Data Subject about the purpose of the collection and the rights he/she has by virtue of the authorization granted.
- 12.4. To keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- 12.5. To ensure that the information provided to the Data Processor is truthful, complete, accurate, up to date, verifiable, and understandable.
- 12.6. To update, rectification or deletion of data, in terms established in this policy and in the applicable regulatory framework.
- 12.7. To refrain from circulating information that is being disputed by the Data Subject and whose blocking has been ordered by the Superintendence of Industry and Commerce.
- 12.8. To allow access to information only to persons who may have access to it, in accordance with the provisions of this policy.
- 12.9. To always respect the conditions of security and privacy of the Data Subject's information.
- 12.10. To process queries and claims formulated in terms indicated in this policy and in the applicable regulatory framework.
- 12.11. To inform, at the Data Subject's request, about the use given to his/her data.



- 12.12. To inform the Superintendence of Industry and Commerce when there are violations to the security codes and there are risks in the administration of the information of the Data Subject.
- 12.13. To comply with the instructions and requirements issued by the Superintendence of Industry and Commerce.

### **13. DUTIES OF NIDIA OSORIO AS DATA PROCESSOR**

**NIDIA OSORIO & Co. S.A.S.** performs data processing on behalf of another entity or organization (data controller) shall comply with the following duties:

- 13.1. To establish that the data controller is authorized to provide **NIDIA OSORIO & Co. S.A.S.** with the personal data it will process as processor.
- 13.2. To guarantee the holder, always, the full and effective exercise of the right of habeas data.
- 13.3. To keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- 13.4. To opportunely update, rectify or delete data.
- 13.5. To process queries and claims formulated in terms indicated in this policy.
- 13.6. To refrain from circulating information that is being disputed by the Data Subject and whose blocking has been ordered by the Superintendence of Industry and Commerce.
- 13.7. To allow access to the information only to persons authorized by the Data Subject or empowered by law for such purpose.
- 13.8. To inform the Superintendence of Industry and Commerce when there are violations to the security codes and there are risks in the administration of the information of the Data Subject.
- 13.9. To comply with the instructions and requirements issued by the Superintendence of Industry and Commerce.

### **14. PROCESS FOR THE HOLDERS TO ACCESS THEIR RIGHTS**

Holders may exercise their rights to know, update, rectify and delete information and revoke authorization, in accordance with the following procedures, subject to the following considerations:

- a. For the exercise of rights by successors in title and to prevent access to the information by persons not legally authorized, the documentation that allows concluding that the person requesting the information is indeed a successor in title of the owner must be verified beforehand, in accordance with the law.
- b. The holder of the personal data may submit their requirements, queries, claims and in general exercise their rights by contacting the e-mail [nosorio@nidiaosorio.co](mailto:nosorio@nidiaosorio.co).

For such effects, in the writing that the interested party submits to **NIDIA OSORIO & Co. S.A.S.**, must indicate at least:

- Names and last names of the Data Subjects, his representative or proxy.
- Identification documents of the Data Subject, his representative or proxy.
- Physical and electronic address where you will receive the response to your request.

#### **14.1. Inquiries**

In accordance with the provisions of article 14 of Law 1581 of 2012, the Data Subjects can consult the personal information of the owner that is contained in any database.

Inquiries will be answered within a maximum period of ten (10) business days from the day following the date of receipt. When it is not possible to answer the inquiry within said period, the interest party will be informed before the expiration date, indicating the reasons for the delay and indicating the date on which the inquiry will be attended, which in no case may exceed five (5) business days after the expiration of the first term.

#### **14.2. Claims**

In accordance with the provisions of article 15 of Law 1581 of 2012, the Data Subjects when they consider that information contained in a database must be subject to correction, updating or elimination, or when they evidence the alleged breach of any of the duties contained in the law, they can file a claim under the following rules:

- a) The claim will be formulated by means of a communication made by the holder or its assignees addressed to **NIDIA OSORIO & Co. S.A.S.**, or to the person in charge of the processing, which must include the information indicated in article 15 of Law 1581 of 2012. If the claim is incomplete, the interested party will be required within five (5) business days of receipt of the claim to correct the faults. After two (2) months from the date of the requirement, without the applicant submitting the required information, it will be understood that the claim has been withdrawn.

In any case, if the communication is addressed to **NIDIA OSORIO & Co. S.A.S.**, and it does not have the quality to answer the communication, meaning, it is not the competent to resolve the claim, it will transfer it to whoever corresponds in a maximum term of three (3) business days and will inform the interested party of the situation.

- b) At any time and free of charge, the natural person who is the owner of the personal data or his/her representative may request the rectification, updating or deletion of his/her personal data upon proof of identity.

- c) The request for rectification, updating or deletions of your personal data must be submitted through the means provided in this policy and must contain at least the following information:
- Name and address of the owner or representative or any other means to receive the response to your request;
  - Documents proving the identity or representation of the holder of the personal data;
  - A clear and precise description of the personal data and the facts giving rise to the claim;
  - The documents you wish to assert in the claim.

The suppression implies the total or partial elimination of personal information, according to the request by the holder of the records, files and databases or treatments carried out by **NIDIA OSORIO & Co. S.A.S.**

### **14.3. Procedural requirement**

The holder or assignee may only file a complaint before the Superintendence of Industry and Commerce once the Data Subject has exhausted the consultation or complain process before **NIDIA OSORIO & Co. S.A.S.**

### **14.4. Revocation of authorization**

According to the law, in the event that the treatment does not respect the constitutional and legal principles, rights and guarantees, the owners or their representatives (as is the case of parents exercising parental authority over an infant or adolescent) may request the revocation of the authorization granted for the treatment of the same, unless a legal or contractual provision prevents such revocation, indicating in such case, the specific reasons based on which it considers that the situation of non-compliance with the afore mentioned scope is occurring.

**NIDIA OSORIO & Co. S.A.S.**, being responsible or in charge of the processing must confirm receipt of the request for revocation of authorization, including the date of receipt. It can be objected if, in the opinion of **NIDIA OSORIO & Co. S.A.S.**, the assumption indicated by the Data Subject is not present or if such revocation implies an affectation for the monitoring or compliance of rights or obligations by the entity with respect to the holder, in which case it must inform the same in writing so that the letter may take the measures before the authorities it deems appropriate.

The request for revocation of the authorization may be total or partial. It will be total when the revocation of the totality of the purposes consented through the authorization is requested. It will be partial when the revocation of some purposes is requested depending on the revocation request. This qualification shall be clearly expressed in the request for revocation of the authorization.

**15. INFORMATION SECURITY**

In development of the security principle established in Law 1581 of 2012, **NIDIA OSORIO & Co. S.A.S.** will implement the additional technical, human, and administrative measures, if required, that are necessary to provide security to the records, which will prevent their adulteration, loss, consultation, use or unauthorized or fraudulent access.

**16. ACCEPTANCE AND APPLICABILITY**

All Data Subjects agree to the processing of their personal data according to the terms described in this policy.

In that sense, all personal data collected by **NIDIA OSORIO & Co. S.A.S.**, will be treated in accordance with the purposes and parameters described in this policy. The personal data previously collected must adhere to the stipulations described in this policy.

**17. PERIOD OF VALIDITY OF THE DATABASES**

The databases to which **NIDIA OSORIO & Co. S.A.S.** will process, as well as the duly authorized personal data included in them, will be valid for the period necessary to fulfill their purposes. Once this period has expired, **NIDIA OSORIO & Co. S.A.S.** will proceed to delete the database or the data of the owners, as appropriate.

**18. CURRENT**

This personal data processing policy is effective as of September 7, 2022, the date of its publication, notwithstanding the fact that **NIDIA OSORIO & Co. S.A.S.** periodically updates the policy. Any change or substantial modification of this policy will be communicated by **NIDIA OSORIO & Co. S.A.S.** to the Data Subjects by publishing the changes on the website [www.nidiaosorio.co](http://www.nidiaosorio.co).

Its validity shall be subject to the provisions described in section 8 of this document.

**Firma**



**Nidia Osorio López**  
**Representante Legal**  
**Nidia Osorio & Co. S.A.S.**