



PROCESSING POLICY OF PERSONAL DATA

In compliance with the provisions of Statutory Law 1581 of 2012 and its regulatory decree 1377 of 2013, PENAGOS HERMANOS Y COMPAÑÍA SAS, consequently PENAGOS, adopts this policy of processing personal data, which will be socialized and published for the awareness of all holders. Also for future development of commercial, labour, supply and those that the holder gives prior consent.

AREA OF APPLICATION

The present policy will be applicable to the personal data registered in any database that PENAGOS deals with.

DEFINITIONS

- Authorization:** Prior, expressive and informed consent of the Holder to carry out the processing of personal data.
- Notice of Privacy:** Verbal or written communication generated by the person responsible for the processing of personal data, addressed to the holder for the processing of his / her personal data. In addition, inform him / her of the existence of the information treatment policies that will be applicable to him / her. Also, the procedure to access them and the purposes of the treatment that is intended to give to the personal data.
- Databases:** It is an organized set of personal data that will be subject to Treatment.
- Channels:** Spaces that the company has arranged to attend the requests, consultations and claims of citizens in the matter of protection of personal data.
- Successor:** Person who takes over another because of the death of holder (heir).
- Personal information:** Any information linked to or associated with one or more specific or determinable natural persons.
- Public data:** The data is not semi-private, private or sensitive. Data is considered public, inter alia, data relating to the marital status of people, their profession or trade and their status as a trader or public servant. By their nature, public data may be contained, inter alia, in public records, public documents, official gazettes and bulletins and duly executed judicial decisions that are not subject to reservation.
- Semiprivate data:** Data that does not have an intimate, reserved, or public nature and whose knowledge or disclosure may interest not only its holder, but also a group of people or society in general.
- Private data:** Personal data that by its nature intimate or reserved only interests its holder and for its treatment requires his / her authorization.



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- Sensitive data:** Sensitive data are those that affect the privacy of the holder or whose abuse may lead to discrimination, such as those that reveal racial or ethnic origin, political orientation, religious or philosophical beliefs, membership of trade unions, social organizations of human rights or that promotes the interests of any political party. In order to guarantee the rights and guarantees of opposition political parties, as well as data related to health, sexual life, and biometric data.
- Treatment Manager:** Natural or legal person, public or private, that by itself or in association with others, perform the processing of personal data on behalf of the Responsible for Treatment. It is a third party, outside the company.
- Responsible for the Treatment:** Natural or legal person, public or private, who by itself or in association with others, decides on the basis of data and / or the processing of the data.
- Holder:** Natural person whose personal data is subject to Treatment.
- Treatment:** Any operation or set of operations on personal data, such as collection, storage, use, circulation or deletion.
- Transfer:** The transfer of data takes place when the person in charge of the processing of personal data, located in Colombia, sends the information or personal data to a recipient, who in turn is responsible for the treatment and is in or out of the country.
- Transmission:** Processing of personal data that implies the communication of the same within or outside the territory of the Republic of Colombia when it is intended to carry out a treatment by the manager on behalf of the person responsible.

PRINCIPLES FOR THE PROCESSING OF PERSONAL DATA ¹

In the development, interpretation and application of this law, the following principles will be applied in a harmonious and integral way:

- Access and restricted circulation:** The Treatment is subject to the limits derived from the nature of the personal data, the decree of this law and the Constitution. In this sense, the Treatment can only be done by persons authorized by the Holder and / or by the persons provided by this current law.

¹ Statutory Law 1581 of 2012, Official Gazette 48587 of October 18, 2012, Article 4. By which general provisions for the protection of personal data are dictated.



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Personal data, except for public information, may not be available on the Internet or other means of mass communication or dissemination, unless access is technically controllable to provide restricted knowledge only to the Holders or third parties authorized pursuant to this law.

- Confidentiality:** All people involved in the processing of personal data that are not in the legal department are obliged to guarantee the reservation of the information. Even after the end of their relationship with any of the tasks included in the Treatment, and may only supply or communicate personal data when it corresponds to the development of the activities authorized in this law and in the terms of the same.
- Purpose:** The Treatment must obey a legitimate purpose in accordance with the Constitution and the Law, which must be informed to the holder.
- Legality:** The Treatment referred to in this law is a regulated activity that must be subject to what is established in it and in the other decree that develop it.
- Liberty:** The Treatment can only be exercised with the prior consent, expressed and informed by the Holder. Personal data may not be obtained or disclosed without prior authorization, or in the absence of a legal or judicial mandate releasing the consent.
- Security:** The information subject to Treatment by the Treatment Manager or the person in charge of the Treatment referred to in this law shall be handled with the technical, human and administrative measures necessary to provide security of the records. With this, avoiding their adulteration, loss, consultation, use or unauthorized or fraudulent access.
- Transparency:** The Treatment must guarantee the right of the Holder to obtain information from the person responsible of the Treatment or the Treatment Manager, at any time and without restrictions, about the existence of data that concerns him.
- Veracity or quality:** The information subject to Treatment must be truthful, complete, accurate, updated, demonstrable and understandable. Treatment of partial, incomplete, fractional or error-inducing data is prohibited.

RESPONSIBLE IDENTIFICATION OF THE TREATMENT

The person responsible for data processing will be PENAGOS HERMANOS Y COMPAÑÍA S.A.S, commercial company identified with NIT. 890, 2006-86-1. PENAGOS has its address in the city of Bucaramanga, and has two headquarters located in Calle 28 No. 20 - 80 of the same municipality and in the Industrial Zone of the Corner of Giron Contiguous Transejes. PENAGOS designates the following internal managers for the treatment of databases:



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PENAGOS designates the following internal managers for the treatment of databases:

Database	Internal manager
Suppliers and / or contractors	Operations Coordinator
Customers, distributors and potential customers	Director of Commercial Engineering
Workers, former workers and participants in selection processes	Administrative Coordinator
Visitors	Logistics Manager

The areas responsible for the attention of petitions, consultations and claims are Legal department, Management and Technology, and the area of internal responsibility. The Data of the people responsible of the Treatment are protecciondatos@penagos.com and (+57 7) 6 46 99 99 Ext 121.

THE RIGHTS OF THE HOLDER

The following are the rights of the holders of the personal data:

- To know, to update and to rectify their personal data in front of the people in charge or Managers of the Treatment. This right may be exercised, inter alia, against partial, inaccurate, incomplete, fractioned, misleading, or those whose Treatment is expressly prohibited or has not been authorized.
- Request proof of authorization given to the Treatment Manager except when expressly excluded as a requirement for the Treatment.
- Be informed by the person responsible of Treatment or the Treatment Manager, upon request, regarding the use you have given to your personal data.
- To submit complaints to the superintendence of Industry and Commerce for infractions regarding the protection of personal data.
- The Holders may at any time request the person responsible or the one in charged to delete their personal data and / or revoke the authorization granted for the Treatment of the same, by filing a claim. (Decree 1377 of 2012, article 9)
- Revoke the authorization and / or request the suppression of the data when in the Treatment the principles, rights and constitutional guarantees, and legal are not respected. The revocation and / or suppression shall proceed when the Superintendence of Industry and Commerce has determined that in the Treatment the Person in Charge has engaged in contrary conduct to this law and the Constitution. (Law 1581 of 2012, article 8 lit e).
- Access free of charge your personal data that has been processed.

DUTIES OF PENAGOS AS RESPONSIBLE FOR PERSONAL DATA

The duties PENAGOS as responsible for personal data:

- To guarantee the Holder, at all times, the full and effective exercise of the rule of protection of data.



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- Request and keep a copy of the respective authorization granted by the Holder.
- Properly inform the Holder about the purpose of the collection and the rights that assist him by virtue of the authorization granted.
- Keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized access or fraudulent.
- Ensure that the information provided to the Treatment Manager is truthful, complete, accurate, up-to-date, demonstrable and understandable.
- Update the information, communicating in a timely manner to the Treatment Manager, all the new information regarding the data previously provided to him and take the other measures necessary so that the information provided to him is kept up to date.
- Ensure that the information provided to the Treatment Manager is truthful, complete, accurate, up-to-date, demonstrable and understandable.
- To supply to the Treatment Manager, as the case may be, only data that the Treatment is previously authorized.
- Require the Treatment Manager at all times, the respect the conditions of security and privacy of the information of the Holder.
- To process the consultations and claims formulated in the terms indicated by the law.
- Adopt an internal policy and procedures manual to ensure proper compliance with the law and in particular, for the attention of inquiries and complaints.
- Inform the Data Protection Officer when certain information is being discussed by the Holder. Once the complaint has been filed and the respective process has not been completed.
- Inform at the request of the holder about the use given to his data.
- Inform the data protection authority when there are violations of the security codes and there are risks in the administration of the information of the Holders.
- Comply with the instructions and requirements issued by the superintendence of Industry and Commerce.
- Register in the database the legend "complaint in process".
- Refrain from circulating information that is being controverted by the holder and whose blockade has been ordered by the Superintendence of Industry and Commerce.
- To insert in the database the legend "information in judicial discussion" once notified by the competent authority about legal processes related to the quality of personal data.

Note: These rights are only recognized and guaranteed on personal data of natural persons that are stored in the databases different from the public records.

TREATMENT TO WHICH PERSONAL DATA SHALL BE SUBMITTED

PENAGOS as responsible for the processing of Information, development of its policies of data protection and ensure compliance with them. The following are the guidelines that should be considered for the processing of personal data.

Authorization: The free, prior, expressive and informed consent of the holder of the personal data is required for the treatment of the former, except in the cases expressed by law.

PENAGOS may obtain authorization through various means, including the physical document, a message of data, internet, websites or any other means that allows the attainment of consent through unequivocal conduct



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in which it is concluded that if the data would not have been stored in a particular database. The authorization will always be made prior to the processing of personal data.

The authorizations granted by the different holders of personal data will be preserved as evidence, such authorizations may be recorded in physical or electronic repositories or virtual repositories.

The holder or holders of personal data at any time and without any reason can revoke the authorization granted or request the deletion of their data.

Excluded from the authorization, the information, data or databases that are available to the public.

Collection of personal data: In accordance with what is arranged in the law and regulatory decrees thereof, the collection of data in PENAGOS for the case of new holders captures personal data that is relevant and adequate for the purpose of the organization, and in no case may be carried out without the authorization of the holder.

Purpose of the data obtained: The data obtained by PENAGOS will be treated with the appropriate protection required by law and the person in charge of the treatment is obliged to treat the data for the exclusive purpose for which they were collected.

PENAGOS collects data from its final customers, distributors and potential customers for the following purposes:

- Develop the mission and social purpose of the company.
- To send information related to products, promotions, events, news of interest, research and others that are of interest to the client.
- Conduct surveys related to our products or levels of customer satisfaction.
- Send advertisement proposals and follow up on them.
- To fulfil contractual commitments of any nature.
- Perform the collection of portfolio.
- Evaluate the financial and legal feasibility of establishing business relationships with potential clients.

PENAGOS collects data from its suppliers and / or contractors, and business allies, for the following purposes:

- Develop the mission and social purpose of the company.
- Exchanging commercial and corporate information inherent in business activities.
- Manage the purchase or contracting of goods and services.
- Comply with the contractual obligations derived from the acquisition of goods and services.
- Evaluate the financial and legal feasibility of establishing business relationships with with suppliers and / or contractors.
- Send requests, complaints, claims and requests about the goods or services purchased.

PENAGOS collects data from participants in the selection process for the following purposes:

- Citation and application of knowledge tests and interviews.
- Verification of personal and work references.



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- Evaluate the suitability of the participant in the selection process, taking into account the characteristics of the vacancy that is required to be contracted.

PENAGOS collects data of the workers, for the following aims:

- Compliance with labour regulations, social security and related obligations as an employer.
- Construction of the quality of life plan aimed at enhancing the health, training and well-being of employees and their immediate family.
- Carry out Safety and Health reports at Work.
- Maintain efficient communication within the organization.
- Execution of performance evaluations of company employees.
- Verification of criminal and disciplinary records.
- Ensure adequate referral to medical services in the event of an accident and inform the family members of the incident.
- Keeping a record of the people who are inside the company in the event of a disaster.
- Protect the security of the possessions and people who are inside the company.
- Issue work certifications during the validity of the labour contract and after its termination.
- Any other purpose that results in the development of contractual obligations and the relationship between the employee and the company for exclusively internal use.

PENAGOS collects data from its former workers for the following purposes:

- Serve as a base for the issuance of work certificates at the request of the former worker.
- To serve as a basis for the granting of employment references to potential employers of the former worker, when this authorizes it at the time of their separation from the company.
- Consider the former worker in the processes of hiring of new personnel carried out by the company.

PENAGOS collects data of visitors, for the following aims:

- Ensure adequate referral to medical services in case of an accident.
- Keep a record of the people who are inside the company in case of a disaster.
- Protect the security of the possessions and people who are inside the company.

Data collected prior to the Data Protection Policy: PENAGOS will inform the holders of the information that lies in its database, the information processing policies, and in the same way request authorization from them to continue with the processing of their data.

Data of children and adolescents: In the treatment of information and personal data, PENAGOS will ensure respect for the prevalent rights of children and adolescents; in this sense, the processing of personal data of children and adolescents retained in the database of PENAGOS. This will refer to data that are public in nature under the parameters and requirements that respond and respect the best interests of children and adolescents also to ensure respect for their fundamental rights. PENAGOS will only obtain the data with the authorization of the legal representative of the child, prior to the child's exercise of their right to be heard, opinion assessment according to criteria of maturity, autonomy and ability to understand.

Sensitive data: PENAGOS will restrict the processing of personal data sensitive to the strictly indispensable and will request prior and express consent of the holders informing about their exclusive purpose of their



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treatment. PENAGOS uses and treats data classified as sensitive when:

- The holder of the sensitive data has expressly authorized the treatment. Except in cases that by law, the granting of such authorization is not required.
- The treatment is necessary to protect the vital interest of the holder and the holder is physically or legally incapable. In cases like these, legal representatives must grant authorization.
- The treatment refers to data that is necessary for the recognition, exercise or defense of a right in a legal process.

Video surveillance. PENAGOS uses video surveillance that is installed in different internal and external sites of its headquarters. Therefore, the holders and third parties are informed of the existence of these mechanisms through the dissemination in visible sites with advertisements of video surveillance alerts. However, no video surveillance device is located in places that may affect the privacy of the holders.

The information collected by these mechanisms will be used for the purposes of security of possessions, facilities and people that are in them or as evidence in any type of internal, legal or administrative process, always with subjection and compliance with the legal norms. The images will only be treated when they are adequate, relevant and not excessive in relation to the scope and the determined purposes, legitimate and explicit that have justified the installation of the cameras or camcorders.

Temporary limitations on the processing of personal data. The people responsible and treatment manages may only collect, store, use or circulate personal data for as long as it is reasonable and necessary, according to the purposes that justifies the treatment, according to the provisions applicable to the matter in question to the administrative, accounting, fiscal, legal and historical aspects of the information. Once the purpose (s) of the treatment has been fulfilled and without prejudice to legal regulations that say otherwise, the person responsible and the person in charge must proceed to the deletion of the personal data in their possession. Notwithstanding the foregoing, personal data must be retained when required for compliance with a legal or contractual obligation.

ATTENTION PROCEDURES

The procedures for consultation, reclamation, request for updating, rectification and deletion will be processed through the Application Form or by email: protecciondatos@penagos.com, also in a physical manner at Calle 28 # 20-80 de Bucaramanga.

The status of holder or assignee must be accredited by citizenship card, civil registry or any other suitable document. The proxies must present a true copy of the power of attorney and of their identity document.

A) Consultation: Holders or their successors may consult the personal information of the Holder who is located in any database of PENAGOS. The person in charge of the treatment or the treatment manager must supply all the information contained in the individual registry or that is linked to the identification of the holder.

The consultation will be attended in a maximum term of ten (10) working days counted from the date of receipt of the given. When it is not possible to attend the consultation within this term, the interested party will be informed, stating the reasons for the delay and indicating the date of the consultation, which in no case may exceed the five (5) business days following the Expiration of the first term.



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B) Claim: The Holder or his successors who consider that the information contained in a database should be corrected, updated or deleted, or when they notice the alleged breach of the database protection regulations, may file a complaint with PENAGOS under the following rules:

The claim will be made through an application addressed to the person in charge of the treatment or the Treatment Manager, with the identification of the Holder, the description of the facts that give rise to the claim, the address, and accompanying the documents that they want to assert. If the claim is incomplete, the interested party will be required within five (5) days of receipt of the claim to remedy the faults. After two (2) months from the date of the request, without the applicant submitting the requested information, it will be understood that he has withdrawn from the claim. In the event that the person receiving the complaint is not competent to resolve it, it will transfer to whom it corresponds in a maximum term of two (2) business days and inform the interested party.

Once the complete claim has been received, a legend that says "claim in process" and the reason for it, within a period of no more than two (2) business days, will be included in the database. This legend must be kept until the claim is decided.

The maximum term to attend the claim will be fifteen (15) business days from the day following the date of receipt. When it is not possible to deal with the claim within that term, the interested party will be informed of the reasons for the delay and the date on which the claim will be dealt with, which in no case may exceed eight (8) business days following the expiration of the first term.

Request for update or rectification: The holder or successor who considers that he has the right to update or rectify his data, since the information is incomplete or inaccurate may request it by the above-mentioned means attaching a copy of the documentation on which he submits his request.

Suppression of databases: At any time the holder of the personal data has the right to ask PENAGOS to delete their data from the databases in which it is registered. This suppression implies the total or partial elimination of the information that it registers in records, databases and files being these physical or virtual, according to the request by the holder.

The right to the suppression is not absolute and the person responsible can deny the exercise of the mentioned when:

- The Holder has a legal or contractual duty to remain in the database.
- The elimination of data hinders legal or administrative actions related to fiscal obligations, investigation and prosecution of crimes or the updating of administrative sanctions.
- The data is necessary to protect the legal interests of the holder; to perform an action in the public interest, or to comply with an obligation legally acquired by the holder. In case of cancellation of the personal data, PENAGOS must carry out the removal in such a way that the removal does not allow the retrieval of the information.

C) Revocation of the authorization: Any holder of personal data that correspond to a legal person, may at any time revoke the consent to the treatment of these, provided, not prevented by a legal or contractual provision.

In cases where the revocation of the authorization is possible, it will be dealt with in the following two



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modalities:

- Total: On the totality of consented purposes, that is, that PENAGOS must stop completely treating the data of the holder of the personal data.
- Partial: On certain consented purposes and are held then for other purposes of treatment than the responsible, of acceptance.

The right of withdrawal is not an absolute right and PENAGOS as responsible for the processing of personal data may deny or limit the exercise of the mentioned when:

- The holder of the data has a legal or contractual duty to remain in the database.
- The revocation of the authorization of the treatment hinders legal or administrative actions linked to fiscal obligations, investigation and prosecution of crimes or the updating of administrative sanctions.
- The data is necessary to protect the legal interests of the Holder; to perform an action in the public interest, or to comply with an obligation legally acquired by the Holder.
- The data is data of public nature and corresponds to the public records, which are intended for publicity.

VALIDITY OF DATABASES

The people responsible and Treatment manager may only collect, store, use or circulate personal data for as long as it is reasonable and necessary. According to the purposes that justify the treatment, according to the provisions applicable to the matter in question of the administrative, accounting, fiscal, legal and historical aspects of the information. Once the purpose (s) of treatment has been fulfilled and without prejudice to legal regulations that provide otherwise, the responsible and the person in charge must proceed to the deletion of personal data in their possession. Notwithstanding the foregoing, personal data must be retained when required for compliance with a legal or contractual obligation.

SECURITY OF THE INFORMATION

In accordance with the security principle established in article 4, literal G, of the law of protection of personal data, PENAGOS deploys work to adopt technical, technological, human and administrative measures that it considers pertinent to provide security to the records, archives and databases. In order to prevent its adulteration, loss, consultation, use or unauthorized or improper access.

VALIDITY

This policy is effective as of August 12, 2016. PENAGOS may modify the terms and conditions of this personal data processing policy document as part of our effort to comply with the obligations established by the Law 1581 of 2012, decrees Regulatory and other rules that complement, modify or derogate what is contained in this document. In cases where any change is made, the new Personal Data Processing Policy document will be published on www.penagos.com

It is a duty of the employees and collaborators of PENAGOS, to know this Policy and to perform all the acts conducive to its fulfilment, implementation and maintenance.

The Organizational Development Management approved this Personal Data Protection Policy, on August 5, 2016.