

## **PERSONAL DATA TREATMENT AND PROTECTION POLICIES OF THE AB MARINE GROUP S.A.S. (COLOMBIAN BRANCH) CORPORATION**

**AB MARINE GROUP S.A.S.**, a Public Corporation, duly constituted under the laws of the Republic of Colombia (From now on, AB MARINE), with domicile in the city of Barranquilla, through the document thereof determines the Personal Data Treatment and Protection Policies, which lay the foundation for the due protection, use and privacy of the Habeas Data of every person that during the exercise of the main economic activity of AB MARINE, provide their personal data through any channel or media.

The policies thereof constitute an integral agreement with AB MARINE; therefore, it is recommended to carefully read each of the stipulations established in the clauses below, previous the following preliminary considerations that may be consulted in the corporation web page.

### **PRELIMINARY CONSIDERATIONS**

1. AB MARINE is a public corporation duly constituted under the Colombian juridical laws, in order to constitute a branch of a foreign corporation, identified with tax ID No. 901.167.792-0, registered at the Barranquilla Chamber of Commerce with Mercantile Registry No. 698.995, and whose social domicile is located on Calle 1 E No. 2-15, Bodega 9, Zona Franca, in the city of Barranquilla, and with telephone number (+57) (5) 379 5132;
2. That AB MARINE, for the adequate development of its main economic activity and in order to strengthen relations with third parties, requires, recollects, stores, circulates and suppresses personal data belonging to individuals with whom it has or has had relations or bonds, such as workers and their families, shareholders, consumers, clients, distributors, providers, creditors, among others;
3. That therefore, AB MARINE is responsible for organizing them in personal data bases, in order to perform a treatment, store, consult, update, and share or eliminate them.
4. Taking the above into account and in fulfilment of the dispositions set on articles 15 and 20 of the Political Constitution, Law 1581, 2012, Decree 1377, 2013, Decree 886, 2014, and the sole Decree 1074, 2015, AB MARINE adopts the present personal data treatment and protection policies, by virtue of their quality of liable party for personal data treatment;
5. Likewise, according to the dispositions on article 8 of Law 1581, 2012, AB MARINE, though the policies thereof grants the necessary channels for third parties as title holders of personal information and in acknowledgment of their Habeas Data right, exercise their right to know, update, rectify their personal data, make complaints and consultations, etc.
6. This policy will be applied to every personal data treatment that occurs in Colombian or foreign Territory by AB MARINE and/or third parties with which AB MARINE agrees in all or in part to execute any activity related or regarding personal data treatment. Likewise, it can be applied to third parties with whom AB MARINE subscribes contracts for personal data transference and/or transmission, in order to ensure that said third parties know their obligations that will be applied when treating all personal data by AB MARINE.
7. The acceptance of these personal data treatment and protection policies constitutes a mandatory and indispensable condition to establish a link with the corporation, provided that the setting of such link entails that AB MARINE requires the provision of determined personal data, whether through the web page or physically in their social location;
8. Therefore, it is recommended that before providing the required data by the corporation that will be treated by AB MARINE, the parties carefully read each of the established dispositions in the clauses below.

### **CLAUSES**

## CHAPTER I OBLIGATIONS OF THE LIABLE PARTY FOR PERSONAL DATA TREATMENT

**FIRST: PURPOSE.** In fulfillment of the stipulated obligations by the Colombian Juridical Ordering, the present personal data treatment and protection policies constitute the internal manual of AB MARINE, through which they determine the policies and procedures to adopt for the due protection, use and acknowledgment of the privacy of the Habeas Data Right of every individual that provides personal data to the corporation by any channel or media, during the exercise of AB MARINE main economic activity.

**SECOND: DEFINITIONS.** For a greater understanding of the dispositions established here, it must be taken in consideration the definitions stated below, which are established according to the dispositions of the current Colombian Laws in regard to this subject. The meaning of the following expressions are the contents set on Statutory Law 1581, 2012 and its Ruling Decree 1377, 2013:

1. **Authorization:** Previously expressed and informed consent of the title holder to carry out the treatment of personal data;
2. **Privacy Notice:** A verbal or written communication generated by the liable party, directed to the title holder for the treatment of their personal data, informing them about the existence of the information treatment policies to be applied, the way to access them and the purpose of the treatment to be given to the personal data.
3. **Data Base:** Organized set of personal data used to keep the registry and administration of the same, independent of the amount of personal data it may contain, whether in a physical media like a file, or an electronic media on files in any format, like an electronic sheet or text, with or without the use of data base engines;
4. **Personal Data:** Any information linked or that can be associated to one or several determined individuals, such as:
  - 4.1. **Identification Data.** Those that seek to personalize an individual, like name, last name, ID type, ID number, date and place of issuance, name, civil status, sex, signature, nationality, family data, electronic signature, other ID documents, place and date of birth or death, fingerprint, DNA, Iris, facial or body geometry, photos, videos, fingerprint formula, voice, etc.;
  - 4.2. **Location Data.** Like the ones related to commercial or private activity of people like address, telephone, email, etc.
  - 4.3. **Social Economic Content Data.** Financial type, credit and/ or economic data of individuals, or related to real estate, such as information on property of movable or immovable assets, earnings, expenses, investments, labor history, labor experience, position, entry and retirement data, notes, call to attention, educational level, training and/or academic history of the individual, etc.
  - 4.4. **Sensitive data.** Sensitive data are those that affect the private life of the title holder or whose incorrect use may generate their discrimination, such as:
    - a. The estate of health of the individual in regard to orders and relation of complementary tests like lab tests, diagnostic or endoscopic images, pathologic reports, studies, general or specialized medical or psychological or psychiatric diagnosis, medicines and/or medical or therapeutic treatments of any kind;
    - b. Being a member of a trade union, social organizations, human rights, religious, political;
    - c. Data related to religious, philosophical or political convictions, preference data, identity and sexual orientation of the individual, ethnic –racial;
    - d. Data about adults or minors (less than 18 years old);

- e. Data about disabled people or people with psychomotor, or auditory limitations in conditions of poverty;
  - f. Data of victims of violence, displaced persons forced by violence, gestating or lactating mothers or vulnerable family heads, abandoned or protected minors, among others.
5. **Data Processor:** Individual or corporation, public or private, which in themselves or in association with others perform the personal data treatment in behalf of the Data Controller. It is worthwhile to clarify that for the purpose of norms about personal data protection, the data processor is a third party, from outside the corporation, that should not be confused with the inside employee who manages the database;
  6. **Liabe Party for the Treatment:** Individual or corporation, public or private, which in themselves or in association with others decides about the database or treatment of the data.
  7. **Title Holder:** Individual whose personal data are the object of Treatment;
  8. **Treatment:** Any operation or set of operations about personal data, such as recollection, storage, use, circulation or suppression. The treatment and management of personal data implies storage, consulting, update, sharing with third parties and or eliminating them, for the destination decided by the company;
  9. **Transference:** Data transference happens when the Liabe Party and/ or Data Processor of personal data, located in Colombia, sends the information or personal data to a receptor, which is in turn Responsible for the Treatment, and may be inside or outside the country;
  10. **Transmission:** Treatment of personal data that implies communication of the same inside or outside the Colombian Territory, when their purpose is to perform a treatment by the Processor in behalf of the Liabe party.

**THIRD: Principles for the Treatment of Personal Data.** AB MARINE, during the development of their corporate purpose, will collect, store, use, transfer, transmit and in general will perform any activity or operation – TREATMENT- over personal data. In any Treatment performed by AB MARINE, the Responsible parties, Processors and or third parties to whom are transferred personal data, must comply with the principles and rules established by the Law and in the present Policies, in order to guarantee the constitutional rights of all persons, to know, update and rectify the information collected on them in data bases or files; these principles are:

1. **Legality in the Matter of Data Treatment:** The Treatment referred to on Law 1581, 2012 and its ruling decrees 1377, 2013 and 886, 2014, is a regulated activity that must be subject to the dispositions set on them and the others that develop them.
2. **Finality:** The treatment must obey a legitimate purpose according to the constitution and the law, which must be informed to the title holder at the time of obtaining their authorization. Personal data cannot be treated outside the informed and consented purpose by the title holders.
3. **Freedom:** The Treatment can only be exercised with the previous, expressed and informed consent of the title holder. **AUTHORIZATION-** The personal data cannot be obtained or revealed without previous authorization, or in absence of the legal or judicial mandate that exonerates the consent. In regard to Personal Data obtained before the validity of Law 1581, 2012, AB MARINE will use the pertinent ordinary and alternative media to convoke all title holders and advance the corresponding validation process, following the dispositions on Decree 1377, 2013.
4. **Veracity or Quality:** The information subject to Treatment must be true, complete and precise, updated, provable and comprehensible. It is forbidden the Treatment of partial, incomplete or fractioned data or that induce to error; in this case, AB MARINE may request the title holder to complete or correct the information;
5. **Transparency:** In the Treatment it must be guaranteed the right of the title holder to obtain from the Liabe party of the Treatment or the Data Processor, at any time and without restrictions, information about the existence of data concerning the title holder. The information will be supplied by the employee (s) of AB MARINE in charge of Personal data Protection; the response

to the request must be given in writing and sent by certified mail to the address provided by the title holder, or by the media informed by the title holder to receive the answer;

6. **Restricted Access and Circulation:** The Treatment is subject to the limits derived from the nature of the Personal Data, by the constitution, the dispositions on Law 1581, 2012, and its ruling Decree 1377, 2013. In this sense, the Treatment can only be made by authorized persons by the title holder and/or persons intended by the Law;  
Personal Data, save for public information, cannot be available in the internet or other mass communication or broadcasting media, save that the access be technically controlled to supply a restricted knowledge to the title holders or authorized third parties only, according to Law 1581, 2012 and its ruling Decree 377, 2013.
7. **Temporary Nature:** AB MARINE will not use the information of the title holder beyond a reasonable period demanded by the purpose informed to the title holder, and to the extent that the purpose of the treatment justifies it. Once the purpose of the Treatment is fulfilled and without prejudice to the legal norms that dispose the contrary, the suppression will be next. Notwithstanding the foregoing, Personal Data must be kept whenever required to comply with a legal or contractual obligation.
8. **Security:** The information subject to Treatment by the Liable Party or Data processor, referred to on Law 1581, 2012 and its ruling decrees 1377, 2013 and 886, 2014, must be handled with the technical, human and administrative measures necessary to grant security to the registries, and avoid adulteration, loss, consultation, use or non-authorized or fraudulent access.
9. **Confidentiality:** All the persons without the nature of Public intervening in the Personal Data Treatment, are under the obligation of guaranteeing the confidentiality of the information, even after their relation is finished with some of the labors encompassed by the Treatment, being able of performing their supply or communication of Personal Data when they correspond to activities authorized by the law. When said relation ends, the Personal Data Must continue to be treated according to this policy and the Law.

**FIFTH. MECHANISMS TO GRANT AUTHORIZATION.** According to the dispositions on Colombian legislation regulating this matter, the authorization of the title holder for AB MARINE to perform the Treatment of their Personal Data, may be granted through a physical, electronic document or any other format or through an ideal technical or technological mechanism, to guarantee its posterior consultation. The authorization may be constituted in a physical, electronic document or any other format to guarantee its posterior consultation, and through which it can be expressed unequivocally that the title holder has granted its previous, expressed and informed consent for AB MARINE to perform the treatment of the data, according to the purposes informed by the corporation, and that without the same, the data would not have been collected and stored in a database.

**SIXTH: Contents of Authorization:** Under the dispositions set on Law 1581, 2012 and Decree 1377, 2013, the authorization granted to AB MARINE by the information and personal data title holder, regardless of the used media or channel, must contain the following:

1. AB MARINE contact information, in their capacity of Liable party for the Treatment of Personal Data. This capacity is acquired by the exercise of collecting personal data of the title holder;
2. The description of the nature and character of the collected personal data by AB MARINE in their capacity of Liable Party for the Treatment;
3. The purpose of the Treatment of the requested personal data by AB MARINE;
4. The channels and media that the title holders of the personal data have to exercise their Habeas Data in relation to the access, correction, updating or suppression of their personal data provided to AB MARINE.

**SOLE PARAGRAPH:** In the event that the collected data are personal data of a sensitive nature, AB MARINE, in their capacity of Liable party, must inform the Title Holder in the document where they request the authorization to perform the treatment of the data, that they are not under the obligation of giving authorization due to the sensitive nature of the data.

**SEVENTH: Notification of Privacy:** In fulfillment of the dispositions consecrated in the Colombian Legislation regulating the matter, when collecting the information and personal data, AB MARINE will give the title holder the notification of privacy, whether through a physical or electronic document, or in any

other format, where it informs the title holder about the existence of the current protection and treatment policies for personal data, that will be applicable once the previous, expressed and informed consent is granted to AB MARINE, to perform the Treatment of the data and information of personal nature. The privacy notification informs the title holder the media they count with, physical or electronic, to access said policies.

**EIGHT: Contents of the Privacy Notice:** Through the privacy notification and under the dispositions of Law 1581, 2012 and the provisions under numeral three (3) and paragraph of article 10 of Decree 1377, 2013, AB MARINE informs the title holder of the information and personal data that will be submitted to the treatment, the following:

1. AB MARINE contact information, in their capacity of Liable Party for the Treatment of Personal Data. This capacity is acquired by the exercise of collecting personal data of the title holder;
2. The type of treatment the data will be submitted to, and the purpose of the treatment.
3. The channels and media that the title holders of the personal data have to consult the treatment and protection policies in regard to personal data.
4. The rights of the title holder in exercising their Habeas Data right in regard to the access, correction, updating or suppression of personal data provided to AB MARINE.

**SOLE PARAGRAPH:** In the event that AB MARINE requires provision of personal data of a sensitive nature, they must inform the title holder within the privacy notice, the optional basis of the answer to the questions related to this kind of data.

**NINTH: Obligation to conserve the Privacy Notice:** AB MARINE must conserve the model of the privacy notice that has transmitted to the collected personal data of title holders as long as they continue to perform the treatment on said personal data, and therefore, the obligations derived from it endure. Therefore, AB MARINE has the faculties to employ physical, electronic or cybernetic means to store said notification.

**TENTH: Obligations of AB MARINE in their capacity of Liable Party for the Treatment:** Under the dispositions on article 17 of Law 1581, 2012, AB MARINE in their capacity of Liable Party for the Treatment of personal data of third parties, must additionally comply with the following obligations:

1. Exercise the Treatment over personal data provided by the title holders only for the purposes they are duly empowered to fulfill;
2. Guarantee the title holder at all times, the full and effective exercise of the Habeas data right;
3. To request and conserve in the conditions established on Law 1581, 2012, a copy of the respective authorization granted by the title holder;
4. Duly inform the title holder about the purpose of the collection and the rights they have by the granted authorization;
5. Preserve the information and personal data under the necessary security conditions to prevent their adulteration, loss, consultation, unauthorized or fraudulent use or access.
6. Guarantee that the provided information to the Data Processor is true, complete, precise, updated, verifiable and comprehensible;
7. Update the information, opportunely communicating to the Data Processor all the news in regard to the previously provided data, and adopt all necessary measures to keep updated the provided information to the data processor;
8. Rectify the information whenever it is erroneous and communicate so the Data Processor;
9. Provide the data Processor, as the case may be, only with data whose treatment has been previously authorized under the law;
10. Require from the Data Processor at all times, the respect to the conditions of security and privacy of the title holder information;
11. Process the queries and complaints formulated in the terms specified under Law 1581, 2012;
12. Adopt an internal policies and procedures manual in order to guarantee the adequate compliance with Law 1581, 2012, and specially, to attend queries and complaints;
13. Comply with the instructions and requirements supplied by the Superintendence of Commerce and Industry;

14. Inform about the use given to the data of the title holder by request from the same;
15. Inform the authorities about data protection when there are violations to the security codes and there are risks in the administration of information to the title holders.
16. To perform the registry before the National Databases Registry of Data Bases (RNBD), according to the criteria established by the Superintendence of Commerce and Industry, the personal information that has been provided by their title holders during the exercise of their main economic activity;
17. Process the consultations and complaints formulated by the title holders in the terms established on Articles 14 and 15 of Law 1581, 2012;
18. Abstain from circulating information that is being controverted by the title holder, and whose blocking has been ordained by the Superintendence of Commerce and Industry;
19. Allow access to the information only to the people that have the right to it;
20. Design an area that assumes the function of protection of personal data, which will process the requests of the title holders, to exercise the rights referred to on Law 1581, 2012 and Decree 1377, 2013.

**SOLE PARAGRAPH:** In the event that the Treatment is exercised through a processor, AB MARINE in their capacity of Liable party, must guarantee that the provided information to the processor is true, complete, updated, verifiable and comprehensible, and that it has been previously authorized by the title holder for its treatment. Likewise, it will have the necessary means to update the provided information to the processor, or to inform all the news in regard to the data that they have previously provided.

**ELEVENTH: Duties of the Treatment Processors:** The Treatment Processors must comply with the following duties, without prejudice of the other dispositions assigned in the current laws and others that rule their activity:

1. Guarantee to the title holder, at all times, the full and effective exercise of the Habeas Data Right;
2. Preserve the information under the necessary security conditions to prevent its adulteration, loss, consultation, non-authorized or fraudulent use;
3. Opportunely perform the data updating, rectification or suppression in terms of Law 1581, 2012;
4. Opportunely update the reported information by the Liable parties for the Treatment within the five (5) working days since the reception of the same;
5. Process the consultations and complaints formulated by the title holders under the terms set on Law 1581, 2012;
6. Adopt an internal policies and procedures manual in order to guarantee the adequate compliance with Law 1581, 2012, and specially, to attend queries and complaints of the title holders;
7. Register in the database the caption "Complaint in Process" in the manner established under Law 1581, 2012;
8. Register in the database the caption "Information under juridical discussion", once notified by the competent authorities about judicial processes related to the quality of the personal data;
9. Abstain from circulating information that is being controverted by the title holder, and whose blocking has been ordained by the Superintendence of Commerce and Industry;
10. Allow access to the information only to the people authorized to have access to it;
11. Inform the Superintendence of Commerce and Industry when there are violations to the security codes and there are risks in the administration of the information of the title holders;
12. Comply with the instructions and requirements provided by the Superintendence of Commerce and Industry.

**TWELFTH: Treatment of Sensitive Data:** The Treatment of sensitive data referred to in Article 5<sup>th</sup> of Law 1581, 2012 it is forbidden, with the exception of the following cases, expressly stated on Article 6<sup>th</sup> of the cited norm:

1. The title holder has given its explicit authorization to said treatment, except in cases where by law it is not required the granting of said authorization.
2. The treatment is necessary to safeguard the vital interest of the title holder and the same is physically or judicially disabled. In those cases, the legal representative must grant its authorization.

3. The Treatment is performed in the course of the legitimate activities and with the due warranties by a nonprofit organization, ONG, association or any other nonprofit organism, whose purpose is political, philosophical, religious or trade union, provided that they refer exclusively to their members or the persons that maintain regular contact because of their purpose. In those cases, the data cannot be provided to third parties without authorization from the title holder.
4. The treatment refers to data that are necessary for the acknowledgment, exercise or defense of a right in a judicial process.
5. The Treatment has a historical, statistical or scientific purpose. In this case, there must be measures conducive to the identity suppression of the title holders.
6. In the treatment of sensitive personal data, when said treatment is possible, according to the dispositions on Article 6<sup>th</sup> of Law 1581, 2012, the following obligations must be complied with: i) inform the title holder that because the data is sensitive, the person is not under the obligation of authorizing the treatment. ii) Inform the title holders in a previous and explicit manner, besides the general requisites of the authorization for data recollection of any kind of personal data, which of the ones that will be subjected to treatment are sensitive and the purpose of the treatment, as well as obtaining their express consent.
7. No activity can be conditioned to the provision of sensitive data by the title holder.

**THIRTEENTH: Media and Channels to Exercise the Habeas Data:** In compliance with the dispositions of Law 1581, 2012, AB MARINE will supply channels and media to the title holder of the information or personal data to exercise the Habeas Data, and which should be informed in the privacy notification, such as:

1. Electronic communication media or other pertinent media;
2. Forms, systems and other simplified methods, which should be informed in the privacy notification.
3. Customer service or complaints in their physical facilities or in their headquarters.

## **CHAPTER II RIGHTS OF THE INFORMATION AND PERSONAL DATA TITLE HOLDERS**

**FOURTEENTH: Rights of the Title Holders.** According to the dispositions set on Article 8 of Law 1581, 2012 and Articles 21 and 22 of Decree 1377, 2013, the title holders of personal data supplied to AB MARINE, have the following rights:

1. Know, update and rectify their personal data before AB MARINE, in its condition of Liable Party for the Treatment, in regard to partial, inexact, incomplete, fractioned data, that induce to error, or those whose Treatment is expressly forbidden or has not been authorized;
2. To request proof of the authorization granted to AB MARINE, in its condition of Liable Party for the Treatment;
3. To be informed by AB MARINE, previous request, in regard to the use given to their personal data;
4. To submit before the Superintendence of Commerce and Industry, complaints for violations to the dispositions on Law 1581, 2012, and all other norms that amend it, add it or complement it, once the consultation or complaint procedure before the Liable party for the treatment has been exhausted;
5. Revoke the authorization and/or request the suppression of the data when in the Treatment are not respected the principles, rights and constitutional and legal warranties;
6. To access for free their personal data that have been submitted to treatment;
7. To have access to contact the media granted by AB MARINE to exercise their rights and apply the provided procedures in the Colombian Legislation in regard to the Habeas Data Right;
8. To request the suppression of personal data when in the Treatment are not respected the rights and constitutional and legal warranties, when there is administrative declaration by the Superintendence of Commerce and Industry of the violation committed by AB MARINE in regard to the personal data protection regime.

**FIFTEENTH: Habeas Data Right of Female and Male Children and Adolescents:** Due to the sensitive nature of children and adolescents personal data, the exercise of the Habeas Data Right related to the

rectification, updating or suppression of the same, must be carried out by the people with faculties to represent them, quality that must be accredited before AB MARINE.

**SIXTEENTH: Exercise of the Right of Access:** The title holder of the information and personal data is empowered to request AB MARINE in a gratuitous manner, in its capacity of Liable Party for the Treatment of personal data, to access and consult their personal information that is being subjected to treatment; they may also request information in regard to the purpose of the treatment and the conditions and generalities of the same.

Therefore, the title holder may consult the Liable Party in regard to:

1. The effective existence of the treatment to which their personal data are submitted;
2. To have access to their personal data in possession of the Liable Party;
3. The essential circumstances of the treatment, in regard to the type of personal data treated, and all and every purpose that justify the treatment.

**PARAGRAPH.** AB MARINE shall, in its condition of Liable Party for the Treatment, after accreditation of the Holder or his agent, allow access to the requested data and provide the necessary information regarding the consultation prepared by the Holder. Access shall not have a time limit and shall allow the Holder the possibility of updating them online, should any correction or update become necessary.

**SEVENTEENTH. Exercise of consultation rights.** Pursuant to article 14 of Law 1581 of 2012 and article 21 of Decree 1377 of 2013, the Holders or their successors in title may consult AB MARINE regarding the personal information kept in their databases. AB MARINE shall grant all the information contained in its databases linked to the identification of the Holder, who conducts the consultation by any of the means or channels granted by the company for that purpose.

**PARAGRAPH.** All inquiries made by the Owner of the personal data and information must be resolved by AB MARINE within a maximum term of ten (10) days from the date of the reception thereof. In the event that AB MARINE cannot resolve a query within that term, it must inform the applicant in writing before the expiration of the term of ten (10) days, the reasons for which it cannot resolve it and must indicate the date on which each of the points of the application will be attended to. Date that in no case may exceed five (5) business days following the expiration of the first term.

**EIGHTEENTH. Complaints.** In the event that the Information Holders or their assignees consider that the personal information contained in the AB MARINE databases must be corrected, updated or deleted, or when they notice an alleged breach of any of the duties contained in Law 1581 of 2012 and Decree 1377 of 2013 or any other applicable norm, they may present a claim before AB MARINE in its capacity as Liable for Processing, in which in addition to certifying the identification of the Holder, it must describe the facts that give rise to the Claim, the contact address, telephone number and the documents that will be used as evidence thereof. Once the complaint has been received, it will be processed under the following instructions:

1. If the received complaint does not have the entire information that will allow processing, the Holder will be required to remedy that within five (5) days of receipt. However, it will only be understood that the Holder has waived the claim if, after two (2) months from the date of receipt of the claim, the applicant does not submit the information;
2. In the event that AB MARINE is not competent in responding to the claim, it will be transferred correspondingly within two (2) business days after its receipt, describing in writing what happened to the Holder.
3. If the claim complies with the requirements for its processing, AB MARINE must respond within fifteen (15) days from the date of receipt of the claim. In the event that AB MARINE cannot resolve it within said term, it must inform the applicant in writing before the expiration of the term of fifteen (15) days about the reasons why a resolution cannot be found, and must formally indicate the date in which each of the points of the application will be resolved. Date that in no case may exceed eight (8) business days following the expiration of the first term.

**NINETEENTH. Exercise of the right of suppression.** In the event that the holder requires the total or partial suppression or elimination of the personal information contained in the AB MARINE databases, as



long as these are not necessary or relevant for the purpose for which they were collected, or the period necessary for the fulfillment of those purposes for which they were requested has expired.

If the suppression is appropriate, the company must carry out the suppression in such a way that the elimination does not allow the retrieval of the information. However, such request may be denied by AB MARINE, as Liable, may deny the exercise of thereof when:

1. The Contractor has a legal or contractual duty to remain in the database;
2. The elimination of data obstructs judicial or administrative actions related to fiscal obligations, investigation and prosecution of crime, or the updating of administrative sanctions;
3. The data are necessary to secure the legally protected interests of the Holder; to perform an action in the public interest, or to comply with an obligation legally acquired by the Holder.

**TWENTIETH. Exercise of the right to rectify and update data.** The owner of the personal data provided to AB MARINE may request the rectification and updating of the same, in the event that the information is incomplete or inaccurate. In the request for rectification and updating of personal data, the Holder must indicate the corrections to be made and provide the documentation that supports said request.

**TWENTY-FIRST. Revocation of authorization.** The Holders of the personal data can revoke their consent to the processing of their personal data at any time, as long as it is not prevented by a legal or contractual provision. AB MARINE shall establish simple, easily accessible and free mechanisms that allow the Holder to revoke their consent. The total revocation of the authorization may be requested when the purposes authorized by the owner for the processing of the information do not correspond to what was done by AB MARINE, for which reason the company must stop treating the data of the Holder in full.

The partial revocation of the authorization is appropriate when one of the purposes stated by AB MARINE is not proper. However, others already informed are kept. Therefore, previous authorization granted by the Holder, AB MARINE will only proceed with the treatment in regard to the purposes that remain in force, expressing what treatments are no longer authorized.

### **CHAPTER III ABOUT PROCESSING.**

**TWENTY-TWO. Purposes of Treatment of personal data.** According to articles 4 and 12 of Law 1581 of 2012, the processing of personal databases must be governed by the principle of purpose, which determines that any processing of personal data must have a legal purpose of agreement, in accordance with the National Constitution and the Colombian legal system. Therefore, in fulfillment of their duty to inform the holder of their personal data, AB MARINE must inform them in advance, and as many times as the owner may require, of the purpose thereof, in order for them to know why the company has that database.

Personal data, regardless of their nature, are identification data, location data, socio-economic or sensitive data and are supplied to AB MARINE by natural persons in their capacity as Holders, and, in the exercise of their principal economic activity, it will be treated according to the following general purposes:

1. For the fulfillment of obligations and / or commitments arising from relationships, contractual or not, existing with its stakeholders.
2. For compliance with legal obligations involving personal data of its stakeholders.
3. For commercial management and relationships with its stakeholders.
4. For the prospective analysis of trends and preferences of their stakeholders in relation to their goods and / or services.
5. To prospectively know the needs of its stakeholders in order to innovate and satisfy them.
6. To communicate the stakeholders information about its goods, services, publications, training events, business activities and advertising associated with its business activity, whether those goods and / or services.
7. To deploy corporate social responsibility activities for its stakeholders.

**TWENTY-THIRD. Shareholders and representatives of shareholders.** AB MARINE will only use the personal data of the shareholders and the representatives of the shareholders for the purposes derived from the existing statutory relationship, including the following:

1. To consult, compare, analyze, process, evaluate, treat or compare all information that is stored in the databases.
2. To inform the holder of any relevant situation related to their shareholder status.
3. To send notifications for the ordinary and extraordinary meetings of the General Assembly of Shareholders.
4. To carry out annotations or operations related to the condition of shareholder.
5. To perform services and provide attention to the shareholder.
6. To comply with any of the obligations contracted by the company with the shareholder holding the information.
7. To prevent, detect and control any activity or information that may be interpreted as fraud, unfair treatment or breach of confidentiality.
8. To issue certifications regarding the relationship of the holder of the Personal Data, with THE LIABLE PARTY.
9. To comply with the obligations of tax and commercial, corporate and accounting records of THE LIABLE PARTY, in accordance with current legal provisions.
10. To send the Personal Data, through secure means, to servers located in Colombia or abroad, in order to keep secure copies or backups of the same, even in the event that THE LIABLE PARTY contracted these services with platforms based on cloud technology.
11. To transmit or transfer the Personal Data to third parties located in Colombia and / or abroad, even in countries that do not provide adequate measures for the protection of Personal Data, provided that these contracts are signed for the processing of Personal Data, with administrative and / or operational purposes.
12. To conduct procedures for filing, protection and custody of personal data
13. To inform about the modifications to the policies of handling Personal Data, as well as requesting new authorizations for the Treatment of Personal Data
14. To register the database in which the information is processed before the Superintendence of Industry and Commerce, under the terms established in Law 1255 of 2012 and Decree 886 of 2014.
15. For other purposes determined by THE LIABLE PARTY in processes to obtain Personal Data for Treatment, to comply with legal and regulatory obligations, as well as their policies for the protection of personal data
16. For other purposes that are necessary or advisable, that derive from the normal development of the relationship with the shareholder.

**PARAGRAPH.** The personal data and information of the shareholders of AB MARINE is considered to be classified, since it is registered in the books of commerce and has the nature of discretion by legal provision. Consequently, access to such personal information will be made in accordance with the rules contained in the Commercial Code that regulate the matter. AB MARINE will only use the personal data of shareholders for purposes derived from the statutory relationship existing.

**TWENTY FOUR. Employees.** AB MARINE, within the framework of human management, will collect, store, use, transfer, transmit, and generally process personal data. The purposes of information processing include:

1. To consult, compare, analyze, process, evaluate, treat or compare all employee information stored in databases;
2. To inform the holder of any relevant situation related to his or her employee status and maintain an efficient communication that is useful in the employment relationship;
3. To comply with all and each one of the obligations and exercise the rights derived from its condition as an EMPLOYER, and in general, the activities of its principal and related corporate purpose, which may be provided directly or with the Support from third parties with whom personal information will be shared, such as social security and parafiscal entities, information operators, outsourcing service companies that require personal data for purposes related to the contract;

4. To pay wages, social benefits, holidays, commissions, travel expenses, free bonuses, or any other amount related to the provision of personal services to the company and other obligations established in the contract of employment and labor legislation;
5. To manage the human resource of AB MARINE through training processes, performance evaluations, social welfare and occupational health programs, issuance of labor certifications, and provision of job references if requested;
6. To verify, compare, or evaluate the labor and personal competencies of employees;
7. To conduct internal procedures for operational development and / or system and information management purposes;
8. To carry out internal studies on the habits of employees and their families for programs of well-being and organizational climate;
9. To issue certifications regarding the relationship of the holder of the Personal Data with AB MARINE;
10. To comply with the tax and commercial, corporate, and accounting records of AB MARINE, in accordance with the legal provisions in force;
11. To send Personal Data through secure means to servers located in Colombia or abroad, in order to keep secure copies or backups thereof, even in the event that AB MARINE contracts these services with platforms based on cloud technology;
12. To transmit or transfer the Personal Data to third parties located in Colombia and / or abroad, even in countries that do not provide adequate measures of protection of Personal Data, provided that these contracts are signed for the processing of Personal Data, with Administrative and / or operational purposes;
13. To advance data update campaigns;
14. To inform about the modifications to Personal Data Management Policies, as well as requesting new authorizations for the Processing of Personal Data;
15. To register the database in which the information is processed before the Superintendence of Industry and Commerce, under the terms established in Law 1255 of 2012 and Decree 886 of 2014;
16. For other purposes that AB MARINE determines in the activity of obtaining Personal Data for its Processing, in order to comply with legal and regulatory obligations, as well as its policies for the protection of personal data;
17. For other purposes that are necessary or advisable that derive from the normal development of the employment relationship.

**PARAGRAPH.** The personal data and information obtained from the selection process regarding the personnel selected to work in AB MARINE, will be stored in the respective personal folder. In the event that AB MARINE contracts personnel selection processes with third parties, it will regulate in the contracts the treatment that must be given to the personal data provided by the interested parties, as well as the destination of the personal information obtained from the respective process. The same procedure will be carried out in cases where staff are recruited through a temporary company.

**TWENTY-FIFTH. Former employees and retired personnel.** AB MARINE, in the development of its labor relations, will collect, store, use, transfer, transmit, and generally perform any activity or operation - TREATMENT - on the Personal Data of former employees and retired personnel. The purposes of information processing include:

1. To consult, compare, analyze, process, evaluate, treat or compare all information about former employees stored in databases;
2. To issue certifications regarding the relationship of the holder of the Personal Data with AB MARINE;
3. To send Personal Data through secure means to servers located in Colombia or abroad, in order to keep secure copies or backups of the same, even in the event that AB MARINE contracts these services with platforms based on cloud technology;
4. To transmit or transfer the Personal Data to third parties located in Colombia and / or abroad, even in countries that do not provide adequate measures of protection of Personal Data, provided that with these contracts are signed to carry out the processing of Personal Data, with Administrative and / or operational purposes;
5. To advance data update campaigns;

6. To report on the modifications to Personal Data Management Policies, as well as requesting new authorizations for the Processing of Personal Data;
7. For other purposes that AB MARINE determines in the activity of obtaining Personal Data for its Treatment, in order to comply with legal and regulatory obligations, as well as its policies for the protection of personal data.

**PARAGRAPH.** Regarding the information of retired personnel, this will remain in the possession of AB MARINE, in the manner that it determines and under safe conditions.

**TWENTY-SIXTH. Customers.** AB MARINE, in the development of its commercial activities, will collect, store, use, transfer, transmit, and generally perform any activity or operation - TREATMENT – on the Personal Data of customers. In accordance with the foregoing, the Personal Data Processed by AB MARINE shall be submitted only for the purposes indicated below, as well as personal data processed by the Personnel or third parties who have access to the Personal Data by virtue of Law or contract. The purposes of information treatment include:

1. To consult, compare, analyze, process, evaluate, treat or compare all information about clients stored in databases;
2. Managing petitions, claims, complaints and suggestions submitted by AB MARINE clients and / or third parties, and directing them to the areas responsible for issuing the corresponding responses;
3. To prepare technical-actuarial studies, statistics, surveys, analysis of market trends, about products and services provided by AB MARINE;
4. To segment the clients for marketing purposes of the products and services offered by AB MARINE;
5. To send information and offers about the products and / or services provided by AB MARINE, as well as carrying out marketing and / or commercialization activities for services and / or products that it provides or could provide or offer;
6. To send to the holder of the Personal Data information of interest and / or invitations to events programmed by AB MARINE related to the products and services offered by it;
7. To issue certifications regarding the relationship of the holder of the Personal Data with AB MARINE;
8. To comply with the tax and commercial, corporate and accounting records of AB MARINE, in accordance with current legal provisions;
9. To send Personal Data through secure means to servers located in Colombia or abroad, in order to keep secure copies or backups thereof, even in the event that AB MARINE contracts these services with platforms based on cloud technology;
10. To transmit or transfer the Personal Data to third parties located in Colombia and / or abroad, even in countries that do not provide adequate measures of protection of Personal Data, provided that these contracts are signed for the processing of Personal Data, with Administrative and / or operational purposes;
11. To advance data update campaigns;
12. To report on modifications to Personal Data Management Policies, as well requesting new authorizations for the Processing of Personal Data;
13. To register the database in which the information is processed before the Superintendence of Industry and Commerce, under the terms established in Law 1255 of 2012 and Decree 886 of 2014;
14. For other purposes that AB MARINE determines in the activity of obtaining Personal Data for its Processing, in order to comply with legal and regulatory obligations, as well as its policies for the protection of personal data.

**TWENTY-SEVENTH. Suppliers.** AB MARINE, within the framework of its commercial activities, will collect, store, use, transfer, transmit, and generally process personal data. The purposes of information processing include:

1. To consult, compare, analyze, process, evaluate, treat or compare all information about the supplier stored in the databases;

2. To send to the holder of the Personal Data information of interest and / or invitations to events programmed by AB MARINE related to the products and services offered by it;
3. To issue certifications regarding the relationship of the holder of the Personal Data, with AB MARINE;
4. To comply with the tax, commercial, corporate and accounting records of AB MARINE, in accordance with current legal provisions;
5. To send Personal Data through secure means to servers located in Colombia or abroad, in order to keep security copies or backups of the same, even in the event in which AB MARINE contracts these services with platforms based on cloud technology;
6. To transmit or transfer Personal Data to third parties located in Colombia and / or abroad, even in countries that do not provide adequate measures of protection of Personal Data, provided that these contracts are signed to carry out the processing of Personal Data, with Administrative and / or operational purposes;
7. Ordering, cataloging, classifying, storing and separating the information provided by suppliers for easy identification and conducting procedures for filing, protection and custody of personal data;
8. To advance data update campaigns;
9. To report on modifications to Personal Data Management Policies, as well requesting new authorizations for the Processing of Personal Data;
10. To register the database in which the information is processed to the Superintendence of Industry and Commerce, under the terms established in Law 1255 of 2012 and Decree 886 of 2014;
11. For other purposes that AB MARINE determines in the activity of obtaining Personal Data for its Processing, in order to comply with legal and regulatory obligations, as well as its policies for the protection of personal data.

#### **CHAPTER IV MECHANISMS OF INFORMATION SECURITY AND PERSONAL DATA.**

**THIRTIETH. Security measures.** In consideration of Law 1581 of 2012 regarding security principles, AB MARINE will adopt the necessary technical, human and administrative measures, which guarantee the security and private nature of the personal data collected in its databases, avoiding its modification, loss, consultation, use or unauthorized or fraudulent access.

**THIRTY-FIRST. Implementation of security measures.** AB MARINE guarantees to the Holders of personal data collected in its databases that maintain security protocols of mandatory compliance, by the personnel who have access to personal data and information systems. For this purpose, training is provided to personnel that enters the company in regards to: i). Personal Data Protection and Protection Policy, ii): scope of application of the procedure with detailed specifications of the protected resources; and iii). The measures, norms, procedures, rules and standards aimed at guaranteeing the level of security required by Law 1581 of 2012 and Decree 1377 of 2013, and periodic checks are made that must be carried out to verify compliance with provisions of the implemented security measures.

#### **CHAPTER IV INTERNATIONAL TRANSMISSION OF DATA AND PERSONAL INFORMATION**

**THIRTY-SECOND.** Use and international transfer of personal data. In accordance with Law 1581 of 2012 and Decree 1377 of 2013, AB MARINE may transfer all data contained in the databases abroad, as long as its beholden to the applicable legal requirements. Therefore, the holder, with the acceptance of this policy, expressly authorizes to transfer Personal Information abroad, for all the relationships required by AB MARINE, notwithstanding the obligation to observe and maintain the confidentiality of the information. AB MARINE will therefore take the necessary measures to ensure that these third parties are aware of and commit themselves to complying with the provisions set forth in this Policy, understanding that the personal information and data they receive may only be used for matters directly related to the Purposes authorized by the Holder to AB MARINE.

**PARAGRAPH.** The company may also exchange personnel with government or public authorities (including, among others, judicial or administrative authorities, tax authorities, criminal, civil, administrative, disciplinary and fiscal investigation bodies), and third parties involved in civil legal

proceedings and their accountants, auditors, lawyers and other advisers and representatives, in compliance with existing laws.

## **CHAPTER V FINAL CONSIDERATIONS**

**THIRTY THIRD. Changes to the Privacy Policy.** AB MARINE may, at its discretion, change the terms of its privacy and treatment policies regarding personal data, notwithstanding the guarantees provided by the Colombian regime for the protection of personal data. Substantial changes will take effect thirty (30) days after they have been published on the platform or on the company's main website.

**THIRTY FOUR. Delegate for the protection of personal data.** AB MARINE has arranged for the treasury department to be in charge of the management of Personal Data and customer care related to Data Protection. This person is responsible for receiving and attending petitions, claims, complaints and inquiries in accordance with the Law and this Policy. Contact details are:

Physical Address: Calle 1E No. 2-15 Storage 9

Phone: (+57) (5) 3795132

E-mail: [fbarros@abmarinegroup.com](mailto:fbarros@abmarinegroup.com)

The Holder of Personal Data will be able to assert their rights through the email [fbarros@abmarinegroup.com](mailto:fbarros@abmarinegroup.com).

Personal Data that is collected, stored, used or transmitted will remain in the AB MARINE Database, taking into account the criterion of temporality that is necessary for the purposes mentioned in this Policy, for which it was collected.

**THIRTY FOUR. Communications.** The owner of the data subject to treatment by AB MARINE may communicate with the company in the event that it considers that another person is violating a right under this privacy policy. In which case you can send e-mail with the description of the case details, to the following address [fbarros@abmarinegroup.com](mailto:fbarros@abmarinegroup.com). Likewise, in the event that the Holder wishes to ask questions and queries regarding what is expressed in this privacy policy, he can formulate them to the following e-mail address: [fbarros@abmarinegroup.com](mailto:fbarros@abmarinegroup.com).