



XTRATEGY.CO S.A.S.

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XTRATEGY.CO

S.A.S

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POLICIES AND PROCEDURES MANUAL
FOR DATA PROCESSING

LEGAL AREA
2022 - 2023

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1. INTRODUCTION

XTRATEGY.CO S.A.S, is a Colombian company specialized in User Experience (UX/UI) Design, the development of e-commerce strategies focused on increasing sales and strengthening service and logistics processes' agility, as well as Marketing and digital creativity strategies aimed at achieving goals and sales positioning results. **XTRATEGY.CO S.A.S** has decided to voluntarily adopt this Personal Data Processing Policy Manual, which establishes the organizational conditions, obligations of the parties involved in the processing and use of personal information, operational regulations, and procedures applicable to the processing of personal data related to its corporate purpose, and when requesting, using, storing, correcting, sharing, or deleting such data.

XTRATEGY.CO S.A.S is the entity responsible for the processing of Personal Data, and in compliance with the provisions of Article 13 of Regulatory Decree 1377 of 2013, it adopts and makes this Personal Data Processing Policy Manual available to all interested parties. This manual contains all the essential, straightforward, and secure elements for compliance with the corresponding legislation on Personal Data Protection. Likewise, this Personal Data Processing Policy Manual will serve as a reference for all stakeholders who maintain any type of relationship with **XTRATEGY.CO S.A.S**, contributing to the proper understanding of the fundamental right to Personal Data Protection and can be used in different areas of application.

2. PRINCIPLES FOR THE PROCESSING OF PERSONAL DATA

To comply with the Personal Data Protection Policy and the obligations imposed by Law 1581 of 2012 and its regulatory decree, the following should be taken into account within **XTRATEGY.CO S.A.S** for the handling and processing of personal, sensitive, and minor data, guided by the following principles:

Access and Circulation: In accordance with legal, contractual, and institutional provisions, the data operated by **XTRATEGY.CO S.A.S** is intended to fulfill contractual functions. Access to such data will be guaranteed in accordance with the provisions of the Law. **XTRATEGY.CO S.A.S** does not publish personal information subject to processing on the Internet or other means of mass disclosure or communication unless the access is technically controllable to provide restricted knowledge only to the data subjects or third parties authorized under the law. Access and circulation of data from other sources will be restricted according to the nature of the data and the authorizations given by the data subjects or other individuals provided for by the Law.

Confidentiality: Depending on the nature of the data, confidentiality will be ensured, and information will be kept confidential during and after the activities that justify the processing of personal data.

Purpose: Legitimate, informed, temporary, and material. The purpose corresponds to the legally assigned functions of **XTRATEGY.CO S.A.S.** Additionally, **XTRATEGY.CO S.A.S** will process personal data when required for the development of its private functions.

Legality: Pursuit of legitimate purposes and compliance with Law 1581 of 2012. During all stages and activities of information processing by **XTRATEGY.CO S.A.S** as the data controller and/or processor or whoever is designated as the data processor, the rules established in this policy, as well as other relevant regulations, will be applied.

Freedom: **XTRATEGY.CO S.A.S** guarantees the right to informational self-determination for data subjects who provide personal data.

Security: **XTRATEGY.CO S.A.S** has implemented technical, human, and administrative measures necessary to prevent tampering, loss, consultation, unauthorized or fraudulent use, or access to the information covered by this manual.

Transparency: **XTRATEGY.CO S.A.S** ensures data subjects have the right to access and knowledge of personal information being processed in accordance with the provisions of Regulatory Decree 1377 of 2013.

Accuracy or Quality: **XTRATEGY.CO S.A.S** aims to ensure that the information in its databases is truthful, complete, accurate, up-to-date, verifiable, and understandable.

2.1. Principle of Restricted Access and Circulation

The processing is subject to the limits derived from the nature of the personal data, the provisions of this Personal Data Processing Policy Manual, the Law, and the Constitution. Accordingly, the processing may only be carried out by individuals authorized by the Data Subject and/or by persons provided for by law.

Personal data, except for those of a public nature, shall not be available on the Internet or other means of mass disclosure or communication unless access is technically controllable to provide restricted knowledge to the Data Subjects or authorized third parties. For these purposes, XTRATEGY.CO S.A.S's obligation shall be one of means and not of results.

2.2. Principle of Confidentiality

All individuals involved in the processing of personal data, which are not of a public nature, are obligated to ensure the confidentiality of the information, even after the termination of their relationship with any of the tasks involved in the processing. They may only provide or communicate personal data when it corresponds to the development of activities authorized by law and in accordance with its terms. Therefore, they commit to strictly

maintaining and preserving the personal, accounting, technical, commercial, or any other type of information provided during the execution and exercise of functions other than registration-related functions, and not to disclose it to third parties.

2.3. Principle of Purpose

The processing of personal data carried out by **XTRATEGY.CO S.A.S** is in accordance with a legitimate purpose, as established by the Political Constitution, Law 1581 of 2012, and Decree 1377 of 2013.

2.4. Principle of Lawfulness

The Processing of Personal Data is a regulated activity governed by Statutory Law 1581 of 2012, Decree 1377 of 2013, and other regulations that complement, modify, or repeal them.

2.5. Principle of Freedom

XTRATEGY.CO S.A.S can process and share personal data stored in its databases without the prior consent of the data subject, provided that the data originates from public records or, although not contained in them, are of a public nature or are part of databases excluded by the Law (e.g., journalistic, statistical, and research databases). In all other cases, **XTRATEGY.CO S.A.S** must obtain the data subject's prior, express, and informed consent before processing their personal data.

2.6. Principle of Security

XTRATEGY.CO S.A.S, as the data controller and/or processor of personal data, implements the technical, human, and administrative measures necessary to ensure the security of the records, preventing their alteration, loss, unauthorized or fraudulent access, consultation, or use.

2.7. Principle of Transparency

XTRATEGY.CO S.A.S ensures that data subjects have the right to obtain, at any time, free of charge and without restrictions, information about the existence of data concerning them and stored in **XTRATEGY.CO S.A.S**'s databases, under the parameters established in Article 21 of Regulatory Decree 1377 of 2013. This principle does not apply to databases that are outside the scope of Law 1581 of 2012, as provided in Article 2 of the mentioned Law.

2.8. Principle of Truthfulness or Quality

XTRATEGY.CO S.A.S guarantees that the information contained in the databases subject to processing will be truthful, complete, accurate, up-to-date, verifiable, and understandable. The truthfulness and quality of personal data obtained through public records are guaranteed by each data subject, and **XTRATEGY.CO S.A.S** is exempt from any responsibility regarding their quality.

3. PROCESSING OF PERSONAL DATA

3.1. Processing of Public Data

XTRATEGY.CO S.A.S informs that it processes personal data of a PUBLIC nature, such as the data contained in public records, without prior authorization from the Data Subject. However, this does not mean that the necessary measures are not taken to ensure compliance with the other principles and obligations established in Law 1581 of 2012 and other regulations related to this matter, which are the responsibility of **XTRATEGY.CO S.A.S**.

3.2. Processing of Sensitive Data

XTRATEGY.CO S.A.S only processes sensitive personal data when strictly necessary, obtaining prior and express consent from the data subjects (legal representatives, proxies, heirs), and informing them of the exclusive purpose for its processing.

XTRATEGY.CO S.A.S uses and processes data classified as sensitive when:

- The processing is expressly authorized by the data subject of sensitive data, except in cases where, by law, such authorization is not required.
- The processing is necessary to safeguard the vital interests of the data subject who is physically or legally incapable. In such cases, legal representatives must provide the authorization.
- The processing is related to data that is necessary for the recognition, exercise, or defense of a right in a judicial process.
- The processing has a historical, statistical, or scientific purpose or is within the scope of improvement processes. In the latter case, appropriate measures will be taken to ensure the suppression of the identity of the data subjects, or the sensitive data will be dissociated, meaning that the sensitive data will be separated from the

identity of the data subject and will not be identifiable, or it will not be possible to identify the data subject of the sensitive data.

In addition to the above, **XTRATEGY.CO S.A.S** fulfills the following obligations:

1. Inform the data subject that, due to the data being sensitive, they are not obligated to authorize its processing.
2. Explicitly and priorly inform the data subject, in addition to the general requirements for authorization regarding the collection of any type of personal data, about which data subject to processing is of a sensitive nature and the purpose of the processing, obtaining express consent.
3. Not condition any activity on the data subject providing sensitive personal data unless there is a legal or contractual cause to do so.

3.3. Processing of Minors' Data

XTRATEGY.CO S.A.S only processes personal data of minors when such data is of a public nature or comes from information provided by employees or contractors at the time of their employment or service provision with XTRATEGY.CO S.A.S. This is in accordance with the provisions of Article 7 of Law 1581 of 2012, and the processing must comply with the following parameters and requirements:

1. Ensure that the processing responds to and respects the best interests of children and adolescents.
2. Guarantee the respect for their fundamental rights.

Once the aforementioned requirements are met, **XTRATEGY.CO S.A.S** will request the authorization of the minor's legal representative or guardian, prior to obtaining the minor's opinion regarding the processing of their data. The minor's opinion will be considered, taking into account their maturity, autonomy, and capacity to understand the matter, as indicated by the Law.

XTRATEGY.CO S.A.S and any person involved in the processing of personal data of children and adolescents will ensure their proper use. In compliance with the above, the principles and obligations established in Law 1581 of 2012 and Decree 1377 of 2013 are applied and developed.

3.4. Classification of Databases

XTRATEGY.CO S.A.S has classified its databases as follows:

3.4.1. Databases with Public Information

These are manual or automated databases that refer to the following records: Commercial, Bidders, Non-Profit Entities, Tourism, Solidarity Economy Entities, Foreign Private Law Entities, Citizen Oversight Groups, and Gambling Sellers. These databases are regulated by the Commercial Code, Decree 898 of 2002, Decree-Law 2150 of 1995, Law 80 of 1993, Law 590 of 2000, Law 643 of 2001, Law 1150 of 2007, Decree-Law 019 of 2012, and other laws that add or modify them.

Therefore, it is understood that this information is of a public nature by legal provision and does not require the prior authorization of the data subject for its processing.

3.4.2. Mission Databases

These are manual or automated databases that are structured and contain both public and private data of individuals who are users of **XTRATEGY.CO S.A.S**. These individuals voluntarily acquire the status of users in the exercise of their right of association to access rights and prerogatives granted by this condition. This is in accordance with the current labor and contractual legislation in Colombia.

3.4.3. Employee Databases

"Employee Databases" are manual or automated databases containing data of individuals who are employed by **XTRATEGY.CO S.A.S**. The processing of this data is aimed at complying with legal and regulatory provisions. This database includes both private and public information, sensitive data, and data of minors. Processing the data for purposes other than the obligations arising from the employment relationship will require prior authorization from the data subject or their legal representative, as applicable. **XTRATEGY.CO S.A.S** will not process sensitive data or data of minors without prior authorization.

XTRATEGY.CO S.A.S collects personal data of potential candidates and its own employees, as well as their families, or candidates, employees, and their families from third parties when acting as the data processor of such data. This facilitates various processes such as selection, hiring, promotion, and the execution of certain contractual obligations, with the following purposes:

1. Establishment of communication channels with data subjects.
2. Conducting selection, promotion, employee welfare, payroll, performance and competency assessments, induction, training, and occupational health and safety processes.
3. Compliance with obligations arising from valid labor contracts, directly or through third parties.
4. Compliance with obligations related to the execution of the corporate purpose of **XTRATEGY.CO S.A.S** or the data controller when **XTRATEGY.CO S.A.S** acts as a data processor for the latter, both within and outside the national territory.
5. Execution of employee training and development programs.
6. Conducting performance evaluations of employees.
7. Implementation of control and security measures on the premises.
8. Providing security footage or records as evidence in response to a judicial or administrative authority request when data is obtained through recordings or provided by the data subject to the surveillance company for access or stay in **XTRATEGY.CO S.A.S** premises.
9. Analysis for market research or commercial and statistical investigations.
10. Tax purposes, including sending information to tax authorities.
11. Total or partial transmission or transfer to different areas of **XTRATEGY.CO S.A.S**, as well as to contractors, shareholders, subsidiaries, and associates of **XTRATEGY.CO S.A.S**, when necessary for commercial, financial, administrative, and operational purposes, including sensitive data, in accordance with the terms and conditions of this Policy, as applicable, primarily to facilitate the operation's development, including but not limited to reporting to control and surveillance authorities and other uses for the aforementioned purposes.

3.4.4. Databases of Contractors and Suppliers

"Databases of Contractors and Suppliers" are manual or automated databases containing data of individuals who have a contractual and commercial relationship with **XTRATEGY.CO S.A.S**. The processing of this data aims to comply with the contractual provisions established by **XTRATEGY.CO S.A.S** for the acquisition of services and goods required for its normal functioning or the fulfillment of its functions. This database contains public, private, and sensitive personal data, with the purpose of developing contractual

relationships. Processing this data for purposes other than maintaining the contractual relationship or fulfilling legal obligations requires prior authorization from the data subject.

XTRATEGY.CO S.A.S collects personal data of (i) suppliers, (ii) potential suppliers, (iii) employees or contacts of suppliers, (iv) employees or contacts of potential suppliers, both its own and those of third parties when acting as a data processor of such data. This facilitates various processes, including hiring, execution, and verification of compliance with various contractual obligations, with the following purposes:

1. establishment of communication channels with data subjects related to the activities described in the previous paragraph.
2. Evaluation of the quality of products and services received.
3. Compliance with obligations related to the execution of the corporate purpose of **XTRATEGY.CO S.A.S** or the data controller when **XTRATEGY.CO S.A.S** acts as a data processor for the latter.
4. Adoption of control and security measures at the facilities under its responsibility.
5. Analysis for establishing and/or maintaining contractual relationships.
6. Analysis for evaluating risks derived from valid contractual relationships.
7. Analysis for market research or commercial and statistical investigations.
8. Providing security footage or records as evidence in response to a judicial or administrative authority request when data is obtained through recordings or provided by the data subject to the surveillance company for access or stay in **XTRATEGY.CO S.A.S** premises.
9. Tax purposes, including sending information to tax authorities.
10. Total or partial transmission or transfer to different areas of **XTRATEGY.CO S.A.S**, as well as to contractors, shareholders, subsidiaries, and associates of **XTRATEGY.CO S.A.S** when necessary for commercial, financial, administrative, and operational purposes, including sensitive data, in accordance with the terms and conditions of this Policy, as applicable, primarily to facilitate the operation's development, including but not limited to reporting to control and surveillance authorities and other uses for the aforementioned purposes.

3.4.5. Customer Databases

XTRATEGY.CO S.A.S collects personal data of current, former, and potential customers, as well as some contact persons of current, former, and potential customers, both its own and those of third parties when acting as a data processor of such data, for the following purposes:

1. Establishment of communication channels with data subjects.
2. Evaluation of the quality of services provided.
3. Compliance with obligations related to the execution of the corporate purpose of **XTRATEGY.CO S.A.S** or the data controller when **XTRATEGY.CO S.A.S** acts as a data processor for the latter.
4. Inviting customers to participate in training and development programs.
5. Providing security footage or records as evidence in response to a judicial or administrative authority request when data is obtained through recordings or provided by the data subject to the surveillance company for access or stay in **XTRATEGY.CO S.A.S** premises.
6. Tax purposes, including sending information to tax authorities.
7. Total or partial transmission or transfer to different areas of **XTRATEGY.CO S.A.S**, as well as to contractors, shareholders, subsidiaries, and associates of **XTRATEGY.CO S.A.S** when necessary for commercial, financial, administrative, and operational purposes, including sensitive data, in accordance with the terms and conditions of this Policy, as applicable, primarily to facilitate the operation's development, including but not limited to reporting to control and surveillance authorities and other uses for the aforementioned purposes.
8. Analysis for market research or commercial and statistical investigations.

4. PREROGATIVES AND RIGHTS OF DATA SUBJECTS

XTRATEGY.CO S.A.S acknowledges and guarantees the following fundamental rights to data subjects:

1. To know, update, and rectify their personal data with respect to the data controllers or data processors. This right can be exercised, among others, against partial, inaccurate, incomplete, fractionated, misleading data, or data whose processing is expressly prohibited or not authorized.

2. To request proof of the authorization granted to the data controller, except when expressly exempted as a requirement for processing or as established by applicable regulations.
3. To be informed by the data controller or data processor, upon request, regarding the use that has been given to their personal data.
4. To lodge complaints with the Superintendence of Industry and Commerce for violations of the Data Protection Law or any laws that modify, add, or complement it.
5. To revoke the authorization and/or request the deletion of the data when: (i) the processing does not respect constitutional and legal principles, rights, and guarantees, provided that the Superintendence of Industry and Commerce has determined that the data controller or data processor has engaged in behaviors contrary to the legal framework; and/or (ii) when the data subject voluntarily requests it, except in cases where there is a legal or contractual obligation to remain in the database.
6. To access their personal data that has been subject to processing free of charge.

4.1 The right to file a complaint

The data subject of private personal data who believes that the information contained or stored in a database may be subject to correction, update, or deletion, or who identifies the alleged non-compliance with any of the duties and principles contained in the regulations on Personal Data Protection, can file a claim with the data controller or data processor of **XTRATEGY.CO S.A.S** using the "**Formulario de Peticiones, Quejas, Reclamos y Sugerencias**" (**Form for Requests, Complaints, Claims, and Suggestions**).

The claim can be submitted by the data subject, considering the information indicated in Article 15 of Law 1581 of 2012.

If the claim is incomplete, the data subject may complete it within five (5) business days following the receipt of the claim in order to correct any shortcomings or errors. If two (2) months have passed since the date of the request, and the applicant has not provided the requested information, it will be considered that they have withdrawn the claim.

If **XTRATEGY.CO S.A.S** receives a claim that is not within its competence to resolve, it will forward it to the appropriate party within a maximum term of two (2) business days and inform the interested party about the situation.

Once **XTRATEGY.CO S.A.S** has received the complete claim, a note saying "reclamo en trámite" (claim in process) and the reason for it will be included in the database within a term not exceeding two (2) business days. This note will remain until the claim is decided. The maximum term to resolve the claim is fifteen (15) business days, counted from the day following its receipt. If it is not possible to address the claim within this term, **XTRATEGY.CO S.A.S** will inform the interested party of the reasons for the delay and the date on which their claim will be addressed, which will not exceed eight (8) business days after the expiration of the initial term.

4.2 The right to rectification and updating of data

XTRATEGY.CO S.A.S commits to rectify and update, at the request of the data subject, any incomplete or inaccurate personal information, following the procedure processed through the Data and Information Update Form. In this regard, **XTRATEGY.CO S.A.S** will consider the following:

In requests for rectification and updating of personal data, the data subject must indicate the corrections to be made and provide supporting documentation for their request.

XTRATEGY.CO S.A.S has the freedom to enable mechanisms that facilitate the exercise of this right, as long as they benefit the data subject. Therefore, electronic or other means may be implemented, which **XTRATEGY.CO S.A.S** deems appropriate and secure.

XTRATEGY.CO S.A.S may establish forms, formats, systems, and other methods, which will be duly informed and made available to interested parties on the **XTRATEGY.CO S.A.S** website or offices.

4.3 The right to data erasure

The data subject has the right at any time to request from **XTRATEGY.CO S.A.S** the erasure (deletion) of their personal data through the Form for Requests, Complaints, Claims, and Suggestions. For this purpose, the following conditions will be considered:

- That the data is not being processed in accordance with the principles, duties, and obligations established in the current legislation on Personal Data Protection.
- That they are no longer necessary or relevant for the purpose for which they were collected.
- That the period necessary for fulfilling the purposes for which they were collected has elapsed.

This suppression implies the safe, total, or partial elimination or deletion of the personal information according to what the data subject requested in the records, files, databases, or processes carried out by **XTRATEGY.CO S.A.S.**

The right to erasure is not an absolute right, and **XTRATEGY.CO S.A.S.**, as the data controller, may deny or limit its exercise when:

- The data subject has a legal or contractual obligation to remain in the database.
- The deletion of data would hinder judicial or administrative proceedings related to tax obligations, the investigation and prosecution of crimes, or the updating of administrative sanctions.
- The data is necessary to protect legally protected interests of the data subject, to perform an action in the public interest, or to fulfill a legal obligation acquired by the data subject.
- The data corresponds to public data and belongs to public records, which have the purpose of being publicly available.

4.4 The right to revoke the Authorization

Any data subject can revoke their consent for the processing of their personal data at any time, as long as it is not prevented by a legal or contractual requirement. To do so, **XTRATEGY.CO S.A.S** has established the "Formulario de Peticiones, Quejas, Reclamos y Sugerencias" (Form for Requests, Complaints, Claims, and Suggestions), which allows the data subject to request this right. In cases where revocation of the authorization is possible, it will be addressed through the following two modalities:

- **Total:** Regarding all the consented purposes, meaning that **XTRATEGY.CO S.A.S** must stop processing the data of the data subject completely.
- **Partial:** Regarding certain consented purposes, such as for advertising or market research purposes. In this case, **XTRATEGY.CO S.A.S** must partially suspend the processing of the data of the data subject. Other purposes of the processing that the data controller can carry out, in accordance with the granted authorization and to which the data subject agrees, will be maintained.

El right to revoke consent is not an absolute right, and **XTRATEGY.CO S.A.S.**, as the data controller, may deny or limit the exercise of this right when:

- The data subject has a legal or contractual obligation to remain in the database.

- The revocation of the authorization for the data processing hinders judicial or administrative proceedings related to tax obligations, the investigation and prosecution of crimes, or the updating of administrative sanctions.
- The data is necessary to protect the legally protected interests of the data subject, to carry out actions for the public interest, or to comply with a legal obligation acquired by the data subject.
- The data is of a public nature and corresponds to public records, which are intended for public disclosure.

5. DUTIES OF XTRATEGY.CO S.A.S REGARDING THE PROCESSING OF PERSONAL DATA

XTRATEGY.CO S.A.S is aware that personal data belongs to the individuals to whom it refers, and only they can make decisions about it. Likewise, **XTRATEGY.CO S.A.S** will use such data only for the purposes for which it is duly authorized and authorized by the owner or by the law, at all times complying with the current regulations on the Protection of Personal Data.

As a data controller or processor, **XTRATEGY.CO S.A.S** fulfills the duties and obligations established in Article 17 of Law 1581 of 2012, and regulations or modifications thereof. It will ensure compliance with:

1. Ensure the Holder's full and effective exercise of the right to habeas data at all times;
2. Request and keep, under the conditions provided in this law, a copy of the respective authorization granted by the Holder;
3. Properly inform the Holder about the purpose of the data collection and the rights granted to them by virtue of the granted authorization;
4. Safeguard the information under the necessary security conditions to prevent its alteration, loss, consultation, unauthorized or fraudulent use or access;
5. Update the information, promptly communicating to the data processor any changes regarding the data previously provided, and take the necessary measures to keep the information supplied to them up to date;
6. Rectify the information when it is incorrect and inform the data processor accordingly.

7. Provide the data processor, as applicable, only with data whose processing has been previously authorized in accordance with the provisions of this law;
8. Demand that the data processor at all times respects the security and privacy conditions of the Holder's information;
9. Process queries and claims made in the terms indicated in this law;
10. Adopt an internal Manual of policies and procedures to ensure the adequate compliance with this law and, in particular, the handling of queries and claims;
11. Inform the data processor when certain information is under discussion by the Holder, once the claim has been filed and the respective process has not been finalized;
12. Inform the Holder, upon request, about the use given to their data;
13. Inform the data protection authority (Superintendence of Industry and Commerce) when security codes are violated, and there are risks in the management of the Holder's information;
14. Comply with the instructions and requirements issued by the Superintendence of Industry and Commerce.

5.1 Duty of Secrecy and Confidentiality

XTRATEGY.CO S.A.S guarantees and demands from all individuals involved in any phase of the processing of private, sensitive, or minors' personal data, the duty of professional secrecy regarding such data and the obligation to keep them confidential. These obligations will remain in effect even after their contractual relationships with **XTRATEGY.CO S.A.S** have ended. Failure to comply with the duty of secrecy will be subject to sanctions in accordance with the provisions of the internal work regulations, confidentiality agreements, and applicable laws.

6. INFORMATION PROCESSING POLICIES

6.1 General Information on Authorization

When dealing with data other than public data, as defined in numeral 2 of Article 3 of Regulatory Decree 1377 of 2013, **XTRATEGY.CO S.A.S** will request prior authorization for the processing of personal data through various documents specifically designed for this purpose, which will be used as proof. Depending on the case, such authorization may be part of a broader document, such as a contract, or a specific document (format, form, addendum, etc.).

In the case of private personal data, the description of the purpose of the data processing will be provided through the same specific document or an attached document. **XTRATEGY.CO S.A.S** will inform the data subject of the following:

- The processing to which their personal data will be subjected and the specific purpose of such processing.
- The period during which their personal data will be processed.
- The rights they have as data subjects.
- The website, email, physical address, and other communication channels through which they can make inquiries and/or file complaints with the data controller or processor.

The authorization of the data subject will not be required in the following cases:

- Information required by a public or administrative entity in the exercise of its legal functions or by a judicial order.
- Data of a public nature.
- Cases of medical or health emergencies.
- Processing of information authorized by law for historical, statistical, or scientific purposes.
- Data related to the Civil Registry of Persons.

6.2 Authorization

The data processing activities regulated by this policy will be carried out exclusively on personal data for which the owners have given their prior express and informed authorization.

Notwithstanding the above, **XTRATEGY.CO S.A.S** reserves the right to carry out processing activities on information for which authorization is not required under the legal provisions regulating the matter, in which case the commitments towards the owners established in this policy remain in force.

For relevant purposes, **XTRATEGY.CO S.A.S** may obtain the data subject to processing directly, for which it must have the respective authorization, or from databases provided by third parties, who have previously obtained authorization from the Data Subjects.

6.3 Form and Mechanisms for Granting Authorization

The authorization may be documented in physical, electronic, or any other format that ensures its subsequent consultation, or through a suitable technical or technological mechanism through which it can be conclusively determined that, in the absence of the Holder's conduct, the data would never have been collected and stored in the database. The authorization format will be prepared by **XTRATEGY.CO S.A.S** and made available to the Holder prior to the processing of their personal data, in accordance with the provisions of Law 1581 of 2012, Decree 1377 of 2013, and other complementary regulations. The informed consent process ensures that the Holder of personal data is made aware that their personal information will be collected and used for specific and known purposes, and that they have the right to request access, update, rectify, and delete their personal data at any time through the mechanisms made available by **XTRATEGY.CO S.A.S**. This is to enable the Holder to make informed decisions regarding their personal data and to control the use of their personal information.

At the time of requesting the Holder's authorization, **XTRATEGY.CO S.A.S** will provide clear and explicit information:

- The treatment to which your personal data will be subjected and its specific purpose.
- The period for which your personal data will be treated.
- The rights that you, as the owner, are entitled to.
- The website, email, physical address, and other communication channels through which you can submit inquiries and/or claims to the data controller or data processor.

6.4 Proof of Authorization

XTRATEGY.CO S.A.S will take the necessary measures to maintain records or suitable technical or technological mechanisms of when and how it obtained the authorization from data subjects for the processing of their personal data.

6.5 Data Protection in Contracts

In labor contracts, **XTRATEGY.CO S.A.S** has included clauses in order to authorize in advance and in a general manner the processing of personal data related to the execution of the contract. This includes the authorization to collect, modify, or correct personal data of the data subject in future moments.

In contracts for external service providers, when the contractor requires personal data, **XTRATEGY.CO S.A.S** will provide such information only if there is prior and explicit authorization from the data subject for this transfer. This authorization excludes personal data of public nature defined in numeral 2 of article 3 of Regulatory Decree 1377 of 2013 and data contained in public records. Since, in these cases, third parties act as Data Processors, their contracts will include clauses that specify the purposes and treatments authorized by **XTRATEGY.CO S.A.S**. These clauses will precisely define the use that these third parties can make of the data, as well as the obligations and duties established in Law 1581 of 2012 and Regulatory Decree 1377 of 2013, including the necessary security measures to ensure the confidentiality, integrity, and availability of the personal information entrusted to them for processing.

On the other hand, when **XTRATEGY.CO S.A.S** receives data from third parties and acts as the Data Processor of personal data, it verifies that the purpose or purposes of the treatments authorized by the data subject or allowed by legal, contractual, or jurisprudential reasons are still valid and that the content of the purpose is related to the cause for which such personal information is to be received from the third party. Only in this way is **XTRATEGY.CO S.A.S** authorized to receive and process such personal data.

6.6 Transfer of personal data to third countries.

In cases where **XTRATEGY.CO S.A.S**, in the course of its functions, such as participating in international programs for economic, cultural, and social development, or any other activity involving the transfer of personal data to third countries, it shall be governed by the following conditions:

- The transfer of personal data to third countries will only be carried out when there is corresponding authorization from the data subject and prior authorization from the Delegation of Personal Data of the Superintendence of Industry and Commerce.
- Any processing that involves transmitting data outside the Colombian territory is considered an international transfer, whether it involves data sharing or the provision of services to the data controller outside of Colombia.
- Furthermore, prior authorization must be obtained from the Delegate for Personal Data Protection of the Superintendence of Industry and Commerce when intending

to perform international data transfers to countries that do not provide a certain level of protection. This authorization can only be granted if adequate safeguards are obtained, such as contracts based on the standard contractual clauses approved by the Superintendence of Industry and Commerce, or Binding Corporate Rules.

- The international transfer of data can be carried out through a request from **XTRATEGY.CO S.A.S**, stating the purpose, the groups of interested parties or data subjects, the data subject to transfer, and the documentation incorporating the guarantees required for obtaining authorization. This documentation should include a description of the specific security measures to be adopted, both by **XTRATEGY.CO S.A.S** and by the Data Controller or Data Processor at its destination.
- **XTRATEGY.CO S.A.S** will not request authorization when the international transfer of data is covered by any of the exceptions provided in the Law and its Regulatory Decree. An example of this is when the data subject gives consent for the transfer, the transfer is necessary to establish the contractual relationship between the data subject and the Data Controller, or the transfer involves a monetary transaction.

6.7 General rules applicable

XTRATEGY.CO S.A.S has established the following general rules for the protection of personal, sensitive, and minor data, including the care of databases, electronic files, and personal information:

1. **XTRATEGY.CO S.A.S** guarantees the authenticity, confidentiality, and integrity of the information under its responsibility.
2. In cases where the infrastructure depends on a third party, **XTRATEGY.CO S.A.S** will ensure that both the availability of information and the care of personal, sensitive, and minor data are fundamental objectives.
3. It is the responsibility of **XTRATEGY.CO S.A.S** officials to immediately report any incident of information leakage, computer damage, data breaches, data commercialization, use of personal data of children or adolescents, identity theft, security incidents, violation of security codes, or any type of behavior that could compromise a person's privacy or lead to any form of discrimination.
4. **XTRATEGY.CO S.A.S** has adopted all possible mechanisms to ensure the confidentiality, integrity, and availability of personal information on its transactional portals, such as security software: digital signatures, SSL certificates, Hypertext

Transfer Protocol Secure (HTTPS), and the necessary tools to safeguard and protect the entity's databases.

5. Training and education of officials, suppliers, and contractors will be a fundamental duty and complement of this Manual.

7. PROCEDURE FOR DATA SUBJECTS TO EXERCISE THEIR RIGHTS TO KNOW, UPDATE, RECTIFY, DELETE INFORMATION, AND REVOKE AUTHORIZATION.

Any inquiry or claim regarding the rights inherent to data subjects concerning personal data must be made through the PQRS form, attaching a photocopy of the identification document of the interested data subject or any other equivalent document that proves their identity and ownership in accordance with the law.

The rights of access, update, rectification, deletion, and revocation of the authorization of personal data are personal and can only be exercised by the data subject. However, the data subject may act through a legal representative or proxy when they are in a situation of incapacity or minority that prevents them from personally exercising these rights, in which case it will be necessary for the legal representative or proxy to prove such a condition.

To facilitate the exercise of these rights, **XTRATEGY.CO S.A.S** provides the appropriate physical or electronic formats for this purpose to interested parties.

Once the deadlines established by Law 1581 of 2012 and other regulations or complementary norms have been met and exhausted, if **XTRATEGY.CO S.A.S** denies, totally or partially, the exercise of the rights of access, update, rectification, deletion, and revocation, the data subject may inform the National Data Protection Authority (Superintendence of Industry and Commerce - Data Protection Delegation) about the denial or disagreement regarding the exercised right.

7.1 Procedure

The procedure for handling complaints regarding the data subject's personal data is as follows:

- a) The data subject or their authorized representative may file complaints with **XTRATEGY.CO S.A.S** when: (i) They believe that the information of the data subject contained in a database needs to be corrected, updated, or deleted, (ii) They observe the alleged non-compliance of any of the duties contained in the Data Protection Law, or (iii) They revoke the authorization for the data subject's

- b) The interested party (the data subject or their authorized representative) can submit the complaint through the channels mentioned in this document.
- c) The complaint from the interested party must contain: the identification of the data subject (names and surnames, type and identification number, address, and contact telephone number, and optional email), a description of the facts that give rise to the complaint, and the documents supporting their claim. If the above information is not provided, it will be understood that the complaint is incomplete.
- d) If the complaint is incomplete, **XTRATEGY.CO S.A.S** will request the interested party to rectify the deficiencies or provide the required information or documentation within five (5) business days following the receipt of the complaint at **XTRATEGY.CO S.A.S**. If two (2) months have passed since the date of the request, and the applicant has not submitted the requested information, it will be understood that they have withdrawn the complaint.
- e) If the recipient of the complaint is not competent to resolve it, they will forward it to the appropriate entity within a maximum period of two (2) business days and inform the interested party of the situation.
- f) Once the complete complaint is received, a note will be added to the database stating "complaint being processed" and the reason for it, within a term not exceeding two (2) business days. This note must be maintained until the complaint is resolved.
- g) **XTRATEGY.CO S.A.S** will respond to the complaint within a maximum period of fifteen (15) business days from the day following the date of receipt at **XTRATEGY.CO S.A.S**. If it is not possible to respond to the complaint within this period, the department(s) responsible for responding within **XTRATEGY.CO S.A.S** will inform the interested party of the reasons for the delay and the date on which their complaint will be addressed, which cannot exceed eight (8) business days following the expiration of the initial term.

7.2 Legitimacy

Those entitled to exercise the rights established in section 4 of this Manual and other rights recognized by law are the data subject, their successors, and individuals authorized by the data subject or their successors. In the latter two cases, the quality for which recognition is requested must be duly evidenced through appropriate mechanisms.

7.3 Competence

XTRATEGY.CO S.A.S designates the Administrative Department and Legal Management to oversee the protection of personal data held in databases and handle requests and complaints from data subjects regarding the exercise of rights of access, consultation,

rectification, updating, deletion, and revocation as referred to in Law 1581 of 2012 and its regulatory decrees, through the channels established in this manual.

8. SECURITY MEASURES

XTRATEGY.CO S.A.S will implement the necessary technical, human, and administrative measures to ensure the security of the Personal Data subject to processing, in order to prevent its alteration, loss, unauthorized access, use, or fraudulent handling.

9. VALIDITY

This Manual is effective from January 19, 2022.

9.1 Policy updates

XTRATEGY.CO S.A.S may modify the terms and conditions of this policy as part of our efforts to comply with the obligations established by Law 1581 of 2012, regulatory decrees, and other norms that complement, modify, or repeal this policy, in order to reflect any changes in our operations or functions. In such cases, the new policy will be published at: <https://uzer.co/>

10. CONTACT INFORMATION

If you have any questions about this policy, please contact **XTRATEGY.CO S.A.S** or send your inquiry directly through any of the following communication channels:

Telephone line: +57 311 5564271

Website: <https://uzer.co/>

Email: administrativo@xtrategy.co