

## **PROCESSING OF PERSONAL DATA**

Melyma S.A.S. guaranteeing the constitutional right of Habeas Data, enshrined in the Colombian Political Constitution of 1991 and developed by Statutory Law 1581 of 2012, establishes policies to ensure that people know, update and certify the information that has been collected in the database. In addition, the right to personal and family privacy, good name, freedom to inform and to receive truthful and impartial information are protected.

### **LEGAL BASIS**

Political Constitution of Colombia, article 15

Political Constitution of Colombia, article 20

Law 1581 of 2012

National Decree 1377 of 2013

### **OBJECTIVE OF THE POLICY**

Through this document, the policies and procedures for the protection of personal data collected by Melyma S.A.S. NIT 900506306-6 as responsible for the information and as owner of the Website [www.melyma.com](http://www.melyma.com) in order to ensure proper compliance with Law 1581 of 2012, its regulatory decrees or the rules that modify or add them.

### **AREA OF APPLICATION**

In relation to what is stipulated in article 2 of Law 1581 of 2012, this policy will apply exclusively to the processing of personal data registered in the database, therefore and in accordance with the aforementioned rule, this policy will not be of application:

- . To databases or files maintained in an exclusively personal or domestic environment.
- . To the databases and files whose purpose is national security and defense, as well as the prevention, detection, monitoring and control of money laundering and financing of terrorism.
- . To the databases that have as their purpose and contain intelligence and counterintelligence information.

. To the databases and archives of journalistic information and other editorial content.

To the databases and files regulated by Law 1266 of 2008

. To the databases and files regulated by Law 79 of 1993

## **DEFINITIONS**

In accordance with the provisions of Law 1581 of 2013, regulated by National Decree 1377 of 2013, precision is made in the following terms:

. Authorization: Prior, express and informed consent to carry out the processing of personal data, by the owner.

. Database: Set of collected and organized data.

. Personal data: It is any piece of information linked to one or several specific or determinable persons or that can be associated with a natural or legal person. Personal data can be public, semi-private or private.

. Public data: These are public data, among others, related to the marital status of people.

. Semi-private data: Semi-private data is data that is not of an intimate or reserved nature, nor is it public and whose knowledge or disclosure may be of interest not only to its owner but to a certain sector or group of people or to society in general, such as financial and credit data of commercial activity or services.

. Private data. It is the data that, due to its intimate or reserved nature, is only relevant to the owner.

. Sensitive data. Sensitive data is understood as that which affects the privacy of the owner or whose improper use may generate discrimination, such as those that reveal racial or ethnic origin, political orientation, religious or philosophical convictions, membership in trade unions, social organizations, of human rights or that promotes the interests of any political party or that guarantees the rights and guarantees of opposition political parties, as well as data related to health, sexual life and biometric data.

. Person in charge of the treatment: Natural or legal person, public or private, that by itself or in association with others, carries out the treatment of personal data on behalf of the person in charge.

. Responsible for the treatment: Natural or legal person, public or private, that by itself or in association with others decides on the database and its treatment.

. Owner: Person whose personal data is processed.

. Treatment: Set of operations on personal data, such as collection, storage, use, circulation or deletion.

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

In development of Law 1581 of 2012, which regulates the protection of personal data, the following principles must be applied in an integral manner:

. Principle of legality: Data processing must be subject to the provisions of Law 1581 of 2012 and other provisions that develop it.

. Principle of purpose: The treatment must obey a legitimate purpose in accordance with the constitution and the law, which must be informed to the owner.

. Principle of freedom: The treatment can only be exercised with the prior, express and informed consent of the owner. Personal data may not be obtained or disclosed without prior authorization, or in the absence of a legal or judicial mandate that relieves consent.

. Principle of veracity or quality: The information subject to treatment must be truthful, complete, exact, updated, verifiable and understandable. The processing of partial, incomplete, fragmented or misleading data is prohibited.

. Principle of transparency: In the treatment, the right of the owner to obtain from the person in charge of the treatment or the person in charge of the treatment, at any time and without restrictions, information about the existence of data that concerns him or her must be guaranteed.

. Principle of access and restricted circulation: The treatment is subject to the limits that derive from the nature of personal data, the provisions of the Law and the Constitution. In this sense, the treatment can only be done by persons authorized by the owner. Personal data, except public information, may not be available on the Internet or other means of disclosure or mass communication, unless access is technically controllable to provide restricted knowledge only to authorized owners or third parties.

. Security principle: The information subject to treatment by the person in charge will be handled with the technical, human and administrative measures that are necessary to provide security to the records, avoiding their adulteration, loss, consultation, use or unauthorized or fraudulent access.

. Confidentiality principle: All persons involved in the processing of personal data that are not of a public nature are obliged to guarantee the confidentiality of the information, even after their relationship with any of the tasks included in the processing has ended.

## **BINDING CHARACTER**

The provisions included in this policy are binding and mandatory for workers, suppliers, business partners and, in general, third parties acting on behalf of the data controller.

## **RIGHTS OF THE HOLDERS**

- . Know, update and rectify your personal data against the information that has been collected in the databases. This right also operates against partial, inaccurate, incomplete, fragmented, misleading data, those whose treatment is expressly prohibited or has not been authorized.
- . Request proof of the authorization granted to the person responsible for the treatment, except when expressly excepted as a requirement for the treatment, in accordance with the provisions of article 10 of Law 1581 of 2012.
- . Be informed regarding the use that will be given to your personal data.
- . Revoke the authorization and request the deletion of the data when the principles, rights and constitutional and legal guarantees are not respected in the treatment. The revocation and/or suppression will proceed when the Superintendency of Industry and Commerce has determined that in the treatment the person in charge or responsible has incurred in conduct contrary to the law and the constitution.
- . Free access to your personal data that has been processed.
- . Those enshrined in Article 15 and 20 of the Political Constitution of Colombia.
- . Submit complaints to the Superintendency of Industry and Commerce for violations of the provisions of Law 1581 of 2012 and other regulations that modify, add or complement it.

## **DUTIES AND OBLIGATIONS AS RESPONSIBLE FOR THE INFORMATION**

In accordance with the provisions of article 17 of Law 1581 of 2012, the person responsible for the information is obliged to comply with the following duties:

- . Guarantee the holder, at all times, the full and effective exercise of the right of habeas data.
- . Request and keep a copy of the respective authorization granted by the owner.
- . Duly inform the owner about the purpose of the collection and the rights that assist him by virtue of the authorization granted.

- . Keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- . Guarantee that the information provided to the person in charge of the treatment is true, complete, exact, updated, verifiable and understandable.
- . Update the information, communicating all the news regarding the data that you have previously provided and adopt the other necessary measures so that the information provided to it is kept up to date.
- . Rectify the information when it is incorrect and communicate what is pertinent to the person in charge of the treatment.
- . Keep only data whose treatment is previously authorized.
- . Guarantee respect for the security and privacy conditions of the owner's information.
- . Process queries and claims made by the owner.
- . Inform the data protection authority when there are violations of the security codes and there are risks in the administration of the information of the holders.
- . Adopt an internal manual of policies and procedures to guarantee adequate compliance with this law and, in particular, for dealing with queries and claims.
- . Inform the person in charge of the treatment when certain information is under discussion by the owner, once the claim has been filed and the respective procedure has not been completed.
- . Provide the person in charge of the treatment, as the case may be, only data whose treatment is previously authorized in accordance with the provisions of this law.
- . Inform at the request of the owner about the use given to his data.

## **PURPOSE OF INFORMATION PROCESSING**

Personal data is collected by Melyma in relation to its interest groups, the foregoing to the extent that the purposes and reasons for collection vary according to the group to which they belong. In accordance with the foregoing, the purposes of each of the interest groups on which personal data is collected will be explained below.

### Customers

- . The personal data provided to the person responsible for the information will be used for the development of the company's own functions, under the conditions previously authorized by the

owner of the information. Within the treatment of data, the collection, storage, use, processing, compilation, circulation, deletion of information duly authorized by the owner is contemplated.

. The data provided by the owner will facilitate contact between the owner and the person responsible for the information, for matters related to: 1. Development of the commercial relationship; 2. Sending information about activities, cooking workshops, brand activities, events in which Melyma S.A.S. activities that may be of interest to all customers and in general, carry out marketing activities (advertising); 3. Sending of sales information: commercial and advertising, in the cases permitted by law; information regarding commercial and administrative policies; and referring to collection and payment documents; 4. Provide information and/or answer queries regarding the services, products and discounts offered by Melyma S.A.S. to customers or users; 5. Sending information, requests, requirements and in general achieve efficient communication with the client; 6. Coordination of delivery and reporting of new products and exchange of technical information, existing projects or products.

For this purpose, the contact data provided by the client and/or user will be used, which include landline and cell phone, address and email.

. Comply with the contractual and/or legal obligations that Melyma S.A.S. have with their clients, as well as with the judicial or administrative authorities.

. Preparation of statistical analysis, marketing work, promotion, offering services of Melyma S.A.S. or strategic allies and design strategies that allow Melyma S.A.S. Give personalized attention to the client or user.

#### providers

. The data provided by the owner will facilitate contact between the owner and the person responsible for the information, for matters related to: 1. Development of the commercial relationship, as well as advancing the business agreed with the owner; 2. Sending information about events carried out by the person in charge; 3. Sending information regarding commercial and administrative policies; and referring to collection and payment documents; as well as the respective monitoring of purchase orders; 4. Carry out the report of the quality problems of the goods or services provided by the owner of the information; 5. Sending information, requests, requirements and in general achieve efficient communication with the supplier; 6. Delivery coordination and product news reporting; 7. Exchange of technical information, projects, existing products or advance research.

. Comply with the contractual and/or legal obligations that Melyma S.A.S. have with your suppliers, as well as with the judicial or administrative authorities.

## **HANDLING OF SENSITIVE DATA**

Sensitive data are those that affect the privacy of the owner or whose improper use may generate discrimination, such as those that reveal racial or ethnic origin, political orientation, religious or philosophical convictions, membership in trade unions, social organizations, human rights or that promotes the interests of any political party or that guarantees the rights and guarantees of opposition political parties as well as data related to health, sexual life and biometric data.

### Treatment of sensitive data

Sensitive data may be processed when the owner has given his explicit authorization to said treatment, except in cases where the granting of said authorization is not required by law.

In the treatment, respect for the prevailing rights of children and adolescents will be ensured. The treatment of personal data of children and adolescents is prohibited, due to the possible risks that children and adolescents face regarding the improper treatment of their personal data, except for those data that are of a public nature or that are authorized. by their parents.

## **AUTHORIZATION**

For the treatment of data, the prior and informed authorization of the owner is required, which must be obtained by any means that may be subject to subsequent consultation. The authorization will be the free, prior, express and informed consent of the owner of these.

The authorization of the holder will not be necessary when it comes to:

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

### Mechanism for granting authorization

The authorization must be provided by any means, physical or electronic, that guarantees to be consulted later. The information must be easy to read, without technical barriers that prevent its access and must correspond in its entirety to that which rests in the database. Authorization will be granted prior to data processing.

### Content of the authorization

The authorization must be kept as a means of proof of the content of the authorization, which is intended to inform:

- . The treatment to which your personal data will be subjected and the purpose of this.
- . The optional nature of the answer to the questions that are asked, when they deal with sensitive data or the data of children and adolescents.
- . The rights that assist you as the owner.
- . The identification, physical or electronic address and telephone number of the data controller.

## **SECURITY OF THE INFORMATION**

Melyma S.A.S. has the tools to help protect the confidentiality, security and integrity of personal data stored in our system. However, and although no computer system is completely secure, the measures implemented to reduce the probability of security problems are appropriate for the type of data that is handled within the company.

## **INFORMATION CONSULTATION MECHANISM- AREA RESPONSIBLE FOR THE PROCESSING OF PERSONAL DATA**

The customer service area will be the area in charge of receiving requests, complaints or claims from the owners of personal data. This area will be in charge of carrying out the necessary internal management in order to guarantee a clear, efficient and timely response to the owner of the data.



## **PROCEDURE TO ATTEND PETITIONS, CONSULTATIONS AND CLAIMS FROM THE HOLDERS OF THE INFORMATION**

Inquiries, requests and claims must be submitted by the owner of the personal data, successors in title or representatives, through the previously mentioned means and must include the identification of the owner, successor in title or representative, the description of the facts that give rise to the claim, the documents that support it and attach the contact and/or notification data.

### Accreditation of the quality of the applicant who formulates the request, query or claim.

The holders of the information, and the persons duly authorized by them or their successors in title, must prove their identity in the following way:

- . Applications submitted by the successors in title through a written document must prove the relationship by attaching a copy of the deed opening the succession and a copy of their identity document.
- . Applications submitted by attorneys through documents must submit an authentic copy of the power of attorney and their identity document.

### Procedure to deal with the requests and queries of the holders of the information

Melyma S.A.S. will respond to queries or requests within a term not exceeding ten (10) business days from the date of receipt of the request. When it is not possible to attend the query or request within said term, the user will be informed stating the reasons for the delay and indicating the date on which the query will be attended, which in no case may exceed five (5) business days following the expiration of the first term.

### Procedure to address claims of the holders of the information

Melyma S.A.S. will respond to claims within a maximum term of fifteen (15) business days from the date of receipt of claim. When it is not possible to address the claim within said term, the interested party will be informed of the reasons for the delay and the date on which his claim will be addressed, which in no case may exceed eight (8) business days following the expiration of the first finished.

In the event that the written claim is incomplete, the interested party will be required within (5) days following receipt of the claim to correct the faults. After two (2) months from the date of the request, without the applicant submitting the required information, it will be understood that he has withdrawn the claim.

In the event that Melyma S.A.S. is not competent to resolve the claim, it will transfer it to the appropriate person within a maximum term of two (2) business days and will inform the interested party of the situation.

Once the complete claim is received, a legend will be included in the database that says "claim in process" and the reason for it, in a term not exceeding two (2) business days. Said legend will remain until the claim is addressed.

#### **POLICY UPDATE**

This policy may be updated periodically and without prior notice. However, in case of making any changes to it, Melyma S.A.S. Before or at the time of publication, it will send an email to the owners of the information, in which the new version of the personal data processing policy is presented.

#### **VALIDITY**

This policy is effective as of June 27, 2013 in accordance with the political constitution of Colombia, law 1581 of 2012 and regulatory decree 1377 of 2013.

The Data Processing Policy will remain in force as long as it is necessary for the purposes established in its body.