# CHAPTER I. GENERAL PROVISIONS

## 1. OBJECT

The policies established herein are intended to comply with Law 1581 of 2012 and its Regulatory Decree 1377 of 2013, in relation to the Processing of Personal Data, and to guarantee the constitutional right that assists all persons to know, update and rectify all types of information collected or that has been subject to processing of personal data in the databases of this organization.

## 2. RESPONSIBLE

The person responsible for defining and updating this Policy is the NATURACERTIFICACIÓN FOUNDATION.

## 3. IDENTIFICATION OF THE PERSON RESPONSIBLE FOR THE PROCESSING OF PERSONAL DATA

The NATURACERTIFICACIÓN FOUNDATION**,** hereinafter ***NaturaCert****,* is a non-profit organization, identified with NIT No. 900.270.539-1, with address at Calle 39 No. 16-39 in the city of Bogotá D.C., Colombia. For data protection purposes, the notification email is Protecciondatos@naturacert.org.

## 4. DEFINITIONS

**4.1.** Authorization: Prior, express and informed consent of the Owner to carry out the Processing of personal data;

**4.2.** Privacy Notice: Verbal or written communication generated by the Responsible, addressed to the Holder for the Processing of their personal data, through which they are informed about the existence of the Information Processing Policies that will be applicable to them, the way to access them and the purposes of the Treatment that is intended to give to the personal data;

**4.3.** Database: Organized set of personal data that is subject to Treatment;

**4.4.** Personal data: Any information linked or that can be associated with one or more determined or determinable natural persons;

**4.5.** Public data: It is the data that is not semi-private, private or sensitive. Public data are considered, among others, data relating to the marital status of persons, their profession or trade and their status as a trader or public servant. By their nature, public data may be contained, among others, in public registers, public documents, gazettes and official gazettes and duly enforceable court judgments that are not subject to reservation;

**4.6.** Sensitive data: Sensitive data is understood to be 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 of trade unions, social organizations, human rights or that promotes the interests of any political party or that guarantee the rights and guarantees of opposition political parties, as well as data relating to health, sex life, and biometric data;

**4.7.** Person in charge of the Treatment: Natural or legal person, public or private, who by himself or in association with others, carries out the Processing of personal data on behalf of the Responsible for the Treatment;

**4.8.** Responsible for the Treatment: Natural or legal person, public or private, that by itself or in association with others, decides on the database and / or the Treatment of the data;

**4.9.** Owner: Natural person whose personal data are subject to Treatment, for example, candidates in selection processes, employees, customers, potential customers, suppliers and in general any person who provides personal data;

**4.10.** Processing: Any operation or set of operations on personal data, such as collection, storage, use, circulation or deletion;

**4.11.** Transfer: The transfer of data takes place when the Responsible and / or Responsible for the Processing of personal data, located in Colombia, sends the information or personal data to a recipient, who in turn is Responsible for the Treatment and is located inside or outside the country;

**4.12.** Transmission: Processing of personal data that implies the communication of the same inside or outside the territory of the Republic of Colombia when it has as its object the realization of a Treatment by the Person in Charge on behalf of the Responsible.

## 5. PRINCIPLES FOR THE PROCESSING OF PERSONAL DATA

To comply with the regulations and materialize this policy, ***NaturaCert*** will respect the following principles:

**5.1.** Principle of legality in matters of Data Processing: The Treatment is a regulated activity that must be subject to the provisions of Law 1582 of 2012 and the other provisions that develop it;

**5.2.** 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;

**5.3.** 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;

**5.4.** Principle of veracity or quality: The information subject to Treatment must be truthful, complete, accurate, updated, verifiable and understandable. The Processing of partial, incomplete, fractional or misleading data is prohibited;

**5.5.** Principle of transparency: In the Treatment, the right of the Holder to obtain from the Responsible for 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 must be guaranteed;

**5.6.** Principle of access and restricted circulation: The Treatment is subject to the limits that derive from the nature of the personal data, from the provisions of the Data Protection Law and the Constitution. In this sense, the Treatment may only be done by persons authorized by the Owner and / or by the persons provided for in the aforementioned law;

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

**5.8.** Principle of security: The information subject to Treatment by the Responsible for the Treatment or Person in Charge of the Treatment referred to in the aforementioned law, must be handled with the technical, human and administrative measures that are necessary to grant security to the records avoiding their adulteration, loss, consultation, use or unauthorized or fraudulent access;

**5.9.** Principle of confidentiality: All persons involved in the Processing of personal data that do not have the nature of public are obliged to guarantee the reservation of the information, even after the end of their relationship with any of the tasks that comprise

the Treatment, being able only to make supply or communication of personal data when this corresponds to the development of the activities authorized in the aforementioned law and in the terms of the same.

## CHAPTER II. RIGHTS AND DUTIES

### 6. RIGHTS OF THE HOLDERS OF THE INFORMATION

**6.1.** Know, update and rectify your personal data in front of ***NaturaCert***. This right may be exercised, among others, against partial, inaccurate, incomplete, fractional, misleading data, or those whose Treatment is expressly prohibited or has not been authorized;

**6.2.** Request proof of the authorization granted to ***NaturaCert*** except when it is expressly excepted as a requirement for the Treatment, in accordance with the provisions of article 10 of Law 1581 of 2012;

**6.3.** Be informed by ***NaturaCert***, upon request, regarding the use you have given to your personal data;

**6.4.** Submit to the Superintendence of Industry and Commerce complaints for violations of the provisions of Law 1581 of 2012 and the other regulations that modify, add or complement it;

**6.5.** Revoke the authorization and / or request the deletion of the data when the treatment does not respect the principles, rights and constitutional and legal guarantees.

**6.6.** Access free of charge to your personal data that have been subject to Treatment.

### 7. LEGITIMATION FOR THE EXERCISE OF THE RIGHTS OF THE OWNER

The rights of the Holders established in the Law may be exercised by the following persons:

**7.1.** Directly by the Owner, who must prove his identity sufficiently by the different means made available by the person in charge.

**7.2.** By the successors in title of the Holder, who must prove such quality.

**7.3.** By the representative and / or proxy of the Holder, after accreditation of the representation or mandate.

**7.4.** By stipulation in favor of another or for another.

### 8. DUTIES OF DATA CONTROLLERS

The Data Controllers must comply with the following duties, without prejudice to the other provisions provided for in this law and others governing their activity:

**8.1.** Guarantee the Holder, at all times, the full and effective exercise of the right of habeas data;

**8.2.** Request and keep, under the conditions provided for in Law 1582 of 2012, a copy of the respective authorization granted by the Holder;

**8.3.** Duly inform the Owner about the purpose of the collection and the rights that assist him by virtue of the authorization granted;

**8.4.** Keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access;

**8.5.** Ensure that the information provided to the Data Processor is truthful, complete, accurate, up-to-date, verifiable and understandable;

**8.6.** Update the information, communicating in a timely manner to the Data Processor, all the news regarding the data that has previously been provided and adopt the other necessary measures so that the information provided to it is kept updated;

**8.7.** Rectify the information when it is incorrect and communicate the pertinent to the Data Processor;

**8.8.** Provide the Data Processor, as the case may be, only with data whose Treatment is previously authorized in accordance with the provisions of this law;

**8.9.** Require the Person in Charge of the Treatment at all times, respect for the conditions of security and privacy of the information of the Holder;

**8.10.** Process the queries and claims formulated in the terms indicated in the aforementioned law;

**8.11.** Inform the Data Processor when certain information is under discussion by the Owner, once the claim has been submitted and the respective procedure has not been completed;

**8.12.** Inform at the request of the Owner about the use given to their data;

**8.13.** 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.

**8.14.** Comply with the instructions and requirements issued by the Superintendence of Industry and Commerce.

## 9. PURPOSE OF DATA PROCESSING

Personal Data are processed by ***NaturaCert*** for the following purposes:

**9.1.** To comply with the object of the contract agreed between the Owner and ***NaturaCert***;

**9.2.** To comply with all the ISO regulations that are required of ***NaturaCert*** as a certification body, as well as with the accreditation requirements applicable to the provision of its services in the different schemes within the framework of the development of its corporate purpose.

**9.3.** To send information to their workers and family members;

**9.4.** For the strengthening of relations with its customers, by sending relevant information, the attention of Petitions, Complaints and Claims (PQR's), among others;

**9.5.** For interaction with its customers, regarding the verification of compliance with certification and / or verification standards, its legal obligations to its workers and for the invitation to events organized or sponsored by ***NaturaCert,*** among others;

**9.6.** For the verification of balances of your creditors;

**9.7.** For the determination of outstanding obligations, the consultation of financial information and credit history and the reporting to information centers of unfulfilled obligations, with respect to their debtors;

**9.8.** To improve, promote and develop its services;

**9.9.** For marketing, statistical, research and other purposes that allow the development of the object of ***NaturaCert*** and that do not contravene the legislation in force in Colombia;

**9.10.** For the attention of judicial or administrative requirements and the fulfillment of judicial or legal mandates.

## CHAPTER III. OF THE PERSONAL DATA

## 10. DATA PROCESSING.

***NaturaCert***, acting as Responsible for the Processing of Personal Data, collects, stores, uses, circulates and deletes personal data corresponding to natural persons with whom it has or has had a relationship, such as, without the enumeration meaning limitation to: workers and relatives of these, contractor, customers, suppliers; in order to properly develop their activities and strengthen their relationships with third parties.

The collection of the information provided by suppliers, customers and personnel who have some type of contractual relationship with the company, may only be used for the established purposes and its use for different purposes is prohibited, unless a consultation has been made and prior authorization of the owner to change its purpose.

The use of the information of employees and contractors will not be given for purposes other than the contractual relationship, if it is given a different use it will only proceed by order of the competent authority, in order to prevent an unauthorized transfer of personal data or a deviation in the purpose for which the data were delivered.

Once the employment relationship has ended, for any reason, the work history will be stored in a file for a period of 5 (five) years, subjecting this information to security measuressince the employment information may contain sensitive data. After the established time has been completed, the definitive physical elimination of the information and /or the digitization of the same will be carried out to preserve it, of this decision making the owner of the information must be informed.

For databases that are not of a labor nature, once the purpose and useful life of the data has ended or the purpose for which it was collected has been modified, its final disposition is to be stored in a deleted database, thus taking preventive measures for possible requests except for the data that may be subjected to a destruction procedure.

***NaturaCert***, will ensure the correct use that is given to the personal data of minors, that are previously authorized and that guarantee compliance with the applicable legal requirements, as well as the best interests of minors.

## 11. COLLECTION OF PERSONAL DATA.

The collection of data will be limited to personal data that are relevant and appropriate for the purpose for which they are collected or required in accordance with ***naturaCert's*** internal procedures, established for this purpose, subject to current regulations governing the matter." Except in the cases expressly provided for by law, personal data may not be collected without the authorization of the Owner. At the request of the Superintendence of Industry and Commerce, ***NaturaCert*** will provide a description of the procedures used for the collection, storage, use, circulation and deletion of information, as well as the description of the purposes for which the information is collected and an explanation of the need to collect the data in

each case. No deceptive or fraudulent means will be used to collect and process personal data.

## 12. AUTHORIZATION

***NaturaCert*** must request prior, express and informed authorization from the Holders of the Personal Data on which it requires to carry out the Treatment.

**12.1.** Prior authorization shall mean the consent that must be previously granted by the Owner, at the latest at the time of collection of Personal Data.

**12.2.** By express authorization it will be understood that the consent of the Owner must be explicit and concrete. Open and non-specific authorizations are not valid. The Owner is required to express his willingness to authorize ***NaturaCert*** to carry out the Processing of his Personal Data. This authorization must be obtained by any means that allows its subsequent consultation.

**12.3.** By Informed authorization it will be understood that, at the time of requesting the consent of the Holder, he must be clearly informed:

a. The data that will be collected;

b. The identification and contact details of the Controller and the Data Processor;

c. The specific purposes of the Treatment that is intended to be carried out;

d. What are the rights you have as the Owner of Personal Data;

e. The optional nature of the answer to the questions that are asked, when they deal with sensitive data.

## 13. PROOF OF AUTHORISATION

***NaturaCert*** will adopt the necessary measures to maintain records or suitable technical or technological mechanisms in the manner in which the authorization was obtained from the Owner of the personal data, for the treatment of the same.

## 14. PROCESSING OF SENSITIVE DATA

In accordance with the Law on the Protection of Personal Data, data of a sensitive nature are considered to be those that affect privacy or whose improper use may generate discrimination, such as those related to:

**14.1.** Racial or ethnic origin;

**14.2.** Political orientation;

**14.3.** Religious/philosophical convictions;

**14.4.** Membership of trade unions, social organizations, human rights organizations or political parties;

**14.5.** Health;

**14.6.** Sex life;

**14.7.** Biometric data (such as fingerprint, signature, and photo).

The Processing of Personal Data of a sensitive nature is prohibited by law, unless you have express, prior and informed authorization from the Owner, among other exceptions enshrined in Article 6 of Law 1581 of 2012. In this case, in addition to complying with the requirements established for authorization, ***NaturaCert*** must:

a. Inform the Owner that because it is sensitive data, it is not obliged to authorize its Treatment.

b. Inform the owner explicitly and in advance, in addition to the general requirements of the authorization for the collection of any type of personal data, which of the data that will be subject to Treatment are sensitive and the purpose of the Treatment, as well as obtain their express consent.

## 15. SECURITY MEASURES

In the processing of personal data ***NaturaCert***, it will adopt physical, logical and administrative security measures, which are classified into high, medium and low level, according to the risk that the personal data processed may derive. In development of the principle of security of personal data, the company will adopt a general guideline on these measures, which will be mandatory for the recipients of this document.

## CHAPTER IV. PROCEDURE FOR THE ATTENTION AND RESPONSE OF REQUESTS, COMPLAINTS AND CLAIMS – PQR.

**16.** The Holders of the Personal Data that are being collected, stored, used, put into circulation by ***NaturaCert***, may exercise at any time their rights to know, update, rectify

and delete information and revoke the authorization. For this purpose, the following procedure will be followed, in accordance with the Personal Data Protection Law:

## 16.1. ATTENTION TO QUERIES AND CLAIMS

### 16.1.1. Consultations

The Holders of the personal data, may consult their personal information contained in the *databases of NaturaCert***:**

a. ***NaturaCert*** will provide all the information contained in the individual register or that is linked to the identification of the Holder.

b. The query will be made in writing and must be filed at our headquarters located in Bogotá D.C. or by email Protecciondatos@naturacert.org.

c. The consultation will be attended within a maximum period of ten (10) business days counted from the date of receipt of the same. When it is not possible to attend the consultation within said term, the interested party will be informed, expressing the reasons for the delay and indicating the date on which their query will be attended, which in no case may exceed five (5) business days following the expiration of the first term.

**PARAGRAPH.** The provisions contained in special laws or regulations issued by the National Government may establish lower terms, taking into account the nature of the personal data.

### 16.1.2. Claims

The Owner who considers that the information contained in a database should be subject to correction, updating or deletion, or when he notices the alleged breach of any of the duties contained in the law, may file a claim with ***NaturaCert***, which will be processed under the following rules:

a. The claim must contain the identification of the Holder, the description of the facts that give rise to the claim, the address, and accompanying the documents that you want to assert. If the claim is incomplete, the interested party will be required within five (5) days of receipt of the claim to remedy the failures. 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 the person who receives the claim is not competent to resolve it, he will transfer it to the corresponding person within a maximum period of two (2) business days and will inform the interested party of the situation.

b. Once the complete claim has been 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. This legend must be maintained until the claim is decided.

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

#### 16.1.3. Procedural requirement

The Owner or successor in title may only go to the Superintendence of Industry and Commerce once he has exhausted the consultation or claim procedure before ***NaturaCert*** or the Treatment Manager.

#### 16.1.4. Revocation of authorization and /or Deletion of data

The holders of the information can revoke the consent to the processing of their personal data at any time, as long as it is not prevented by a legal or contractual provision. For this purpose, ***NaturaCert*** makes available the email Protecciondatos@naturacert.org.

If the respective legal term has expired, ***NaturaCert*** has not deleted the personal data, the owner will have the right to request the Superintendence of Industry and Commerce to order the revocation of the authorization and / or deletion of the personal data. For these purposes, the procedure described in article 22 of Law 1581 of 2012 will be applied.

## CHAPTER V. TRANSMISSION OF DATA

## 17. INTERNATIONAL TRANSFERS AND TRANSMISSIONS OF PERSONAL DATA

For the transmission and transfer of personal data, the following rules shall apply: (i) International transfers of personal data must comply with the provisions of article 26 of Law 1581 of 2012, and (ii) International transfers of personal data that are made between a controller and a processor to allow the processor to carry out the treatment on behalf of the

controller, they will not require to be informed to the Owner or to have their consent when there is a contract in the terms of the following article.

## 18. CONTRACT FOR THE TRANSMISSION OF PERSONAL DATA

The contract signed by ***NaturaCert*** with those in charge of the processing of personal data under their control and responsibility will indicate the scope of the treatment, the activities that the person in charge will carry out on behalf of the person in charge for the processing of personal data and the obligations of the Processor towards the owner and the person in charge. By means of this contract, the person in charge will undertake to apply the obligations of the person in charge under the information processing policy set by it and to carry out the data processing in accordance with the purpose that the Holders have authorized and with the applicable laws.

In addition to the obligations imposed by the applicable rules within the aforementioned contract, the following obligations must be included in the head of the respective processor:

1. Give Treatment, on behalf of the Responsible, to the personal data in accordance with the principles that protect them.

2. Safeguard the security of databases containing personal data.

3. Keep confidentiality regarding the processing of personal data.

# CHAPTER VI. OTHER PROVISIONS

## 19. COMMUNICATION TO THE OWNER OF THE INFORMATION IN CASE OF MODIFICATION OF THE INFORMATION PROCESSING POLICY

In the event of substantial changes in the content of these Treatment Policies, referring to the identification of the Responsible and the purpose of the Processing of personal data, which may affect the content of the authorization, ***NaturaCert*** will communicate them to the Owner before or at the latest at the time of implementing the new policies.

Any substantial change in relation to the authorization of the owner for the collection of data, must be communicated in a timely manner to the Holder in an efficient manner, before implementing the new policies.

If the changes are in relation to the purpose of the Data Processing, ***NaturaCert*** must obtain from the Owner a new authorization for the handling of data.