

**POLICY TREATMENT OF PERSONAL DATA PROTECTION OF  
HEADLINES**

**SAS EARLOGIC "*Innovation and development in health*"**

In compliance with the provisions of the Statutory Law 1581 of 2012 and its Regulatory Decree 1377 of 2013, EARLOGIC SAS adopts this policy to the processing of personal data, which will be informed to all holders of the collected data or in the future obtained in the exercise of academic, cultural, commercial or labor activities.

Thus, EARLOGIC SAS states that guarantees the rights of privacy, privacy, good name and autonomy of the company, in the processing of personal data, and therefore all their actions are governed by the principles of legality, purpose, freedom, truthfulness or quality, transparency, access and restricted movement, security and confidentiality.

All persons developing different contractual, commercial activities,  
labor, among others, whether permanent or occasional, reached  
SAS EARLOGIC provide any information or personal data, you may know, update and rectify it.

**Identification of the controller NAME OF INSTITUTION: EARLOGIC SAS**

**ADDRESS AND ADDRESS:** Barranquilla, Carrera 50 No.82- 185

**EMAIL:** [gerencia@earlogicamerica.com](mailto:gerencia@earlogicamerica.com)

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## I. LEGAL FRAMEWORK

Constitution, Article 15.

Law 1266 of 2008

Law 1581 of 2012

Regulatory Decrees 2009 and 2952 1727 2010

Partial Regulatory Decree 1377 of 2013

Judgments C - 1011, 2008, and C - 748 of 2011 of the Constitutional Court

## II. AREA OF APPLICATION

This policy shall apply to personal data recorded in any database company whose owner is a natural person.

## III. DEFINITIONS

For purposes of this policy and in accordance with current regulations regarding the protection of personal data, the following definitions shall be taken into account <sup>one</sup>:

- **Authorization:** prior, express and informed consent of the Contractor to carry out the processing of personal data.
- **Notice of Privacy:** verbal or written communication generated by the charge, to the holder for the processing of personal data by which you are informed about the existence of political information processing that will be applied, how to access them and the purposes of processing which aims to give personal information.
- **Database:** organized set of personal data that is processed.
- **assignee:** person has happened to another because of the death of this one (heir).

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January 1 The definitions included in this document are taken from the current regulations in Colombia governing the protection of personal data.

- **Personal data:** Any information related or may be associated with one or more specific or identifiable individuals.
- **Public information:** It is the fact that not semiprivate, private or sensitive. Are considered public information, among other data concerning the civil status of persons, to their profession or trade and as a merchant or public servant. By its nature, public data can be contained, among others, in public records, public records, official gazettes and newsletters and duly executory judgments which are not subject to reservation.
- **Sensitive data:** Means sensitive data those affecting the privacy of the Contractor or whose misuse can lead to their discrimination, such as revealing racial or ethnic origin, political orientation, religious or philosophical beliefs, trade union membership, social organizations, promoting human rights or interests of any political party or to guarantee the rights and guarantees of opposition political parties, as well as data concerning health, sexual life, and biometric data.
- **Processor:** natural or juridical, public or private, which by itself or in association with others, perform the processing of personal data on behalf of the controller.
- **Controller:** natural or juridical, public or private, which by itself or in association with others, decide on the database and / or treatment of the data.
- **Headline:** natural person whose personal data are processed.
- **Treatment:** Any operation or set of operations on personal, such as collection, storage, use, movement or deletion data.
- **Transfer:** data transfer occurs when the head and / or processor of personal data, located in Colombia, sends information or personal data to a receiver, which in turn is responsible for the treatment and is inside or outside the country .
- **Transmission:** processing of personal data involving communicating them within or outside the territory of the Republic of Colombia when intended to carry out a treatment by the manager responsible for the account.

#### IV.PRINCIPIOS

In order to guarantee the protection of personal data, the company apply harmoniously and holistically the following principles, in the light of which treatment should be done, transfer and transmission of personal data <sup>two</sup>:

**Principle of legality in the field of Data Processing:** Data processing is a regulated activity, which shall be subject to the existing and applicable laws governing the subject.

**Principle of finality:** the activity of the processing of personal data to perform EARLOGIC SAS or which could have access, obey a legitimate purpose in accordance with the Constitution of Colombia, which must be reported to the respective holder of personal data.

**Principle of freedom:** the processing of personal data can only be done with the consent prior, express and informed of the Contractor. Personal data may not be obtained or disclosed without prior authorization, or in the absence of legal, statutory, or court order relieving consent.

**Principle of accuracy or quality:** information subject to processing of personal data must be truthful, complete, accurate, current, verifiable and understandable. Treatment of partial, incomplete, split or misleading data is prohibited.

**Principle of transparency:** In the processing of personal data, the company will guarantee the holder the right to obtain at any time without restrictions, information about the existence of any information or personal data that is of interest or ownership.

**Principle of access and restricted circulation:** The processing of personal data is subject to limits deriving from the nature of these, the provisions of the law and the Constitution. Consequently, the treatment can only be done by authorized by the holder and / or by persons under the law people. Personal data, except public information may not be available on the Internet or other mass media or mass, unless access is technically controllable to provide knowledge restricted only to holders or third parties authorized under the law communication. For these purposes the obligation to EARLOGIC SAS, will be half.

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2 principles included in this document are taken from the current regulations in Colombia governing the protection of personal data.

**Security principle:** information subject to treatment by the company, should be handled with the technical, human and administrative measures necessary to provide security to the records avoiding adulteration, loss, see, use or unauthorized or fraudulent access.

**Principle of confidentiality:** All persons in the company administer, manage, update or access information of any kind to be found in databases, are required to ensure the confidentiality of information, so we are committed to preserving and maintaining a strictly confidential and not disclose to third parties any information which may come to know in the execution and performance of their duties; except in the case expressly authorized by law data protection activities. This obligation continues and will continue even after their relationship ended with some of the works comprising treatment.

## V. RIGHTS OF HOLDERS OF INFORMATION

According to contemplated by the current regulations applicable concerning data protection, the following are the rights of holders of personal data:

- to. Access, know, update and rectify your personal data against EARLOGIC SAS in its capacity as controller. This right may be exercised, among others, against partial, inaccurate, incomplete, split data, misleading, or those whose treatment is prohibited or not authorized.
- b. Request proof of the authorization granted to EARLOGIC SAS for data processing by any valid means, except in cases where authorization is not necessary <sup>3</sup>.
- c. It is reported by the company, upon request, regarding the use given to their personal data.
- d. Submit to the Superintendency of Industry and Commerce, or entity who does his times, complaints for violations of the provisions of the law 1581 of 2012 and other regulations that modify, add or supplement prior process of consultation or request to the company .
- and. Revoke the authorization and / or request the deletion of data when the treatment not the principles, rights and constitutional and legal guarantees are respected.
- F. For free access to their personal data have been processed, at least once each calendar month, and whenever there are substantial changes to this policy that encourage further consultations.

These rights may be exercised by:

The owner, who must prove his identity sufficiently by the various means available to put you company.

The assignees of the owner, who must prove that quality.

The representative and / or proxy holder, subject to proof of the representation or empowerment.

Another for or for which the holder has stipulated.

### **Rights of children and adolescents**

In the processing of personal data will ensure respect for the rights of minors prevalent <sup>3</sup>.

the processing of personal data of minors, except data that is public in nature, and in this case the treatment must meet the following parameters is outlawed:

- to. Respond to and respect the interests of minors
- b. Ensure respect for the fundamental rights of minors.

It is the task of the state and regulatory bodies in the health sector all provide information and train legal representatives and guardians about the potential risks to which children and adolescents are facing regarding the improper handling of personal data, and provide knowledge about responsible and safe use by children and adolescents of their personal data, their right to privacy and protection of personal information and that of others.

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March 3, 2012. Law 1581 Article 10. **Where the authorization is not required.** Authorization Holder will not be necessary in the case of:

- a) Information required by a public or administrative entity in the exercise of their legal or court order functions;
- b) information of a public nature;
- c) Cases of medical or health emergency;
- d) Information processing authorized by law for historical, statistical or scientific purposes;
- and) Data related to the Civil Registry of Persons.

Who access personal information, without prior authorization must in any case comply with the provisions of this law.

## **SAW. DUTIES OF THE COMPANY AS A RESPONSIBLE AND TREATMENT IN CHARGE OF PERSONAL DATA**

EARLOGIC SAS recognizes the ownership of personal data that hold people and therefore they can decide exclusively on them. Therefore, the company will use personal data for the fulfillment of the purposes expressly authorized by the holder or by current standards.

In the treatment and protection of personal data, EARLOGIC SAS have the following duties, without prejudice to other under the provisions governing or reach regulate this issue:

- to. Ensure the holder, at any time, the full and effective exercise of the right of habeas data.
- b. Request and keep a copy of the relevant authorization granted by the owner to the processing of personal data.
- c. duly inform the holder of the purpose of collection and his rights under the authorization granted.
- d. Keep information under security conditions necessary to prevent adulteration, loss, see, use or unauthorized or fraudulent access.
- and. Ensure that information is accurate, complete, accurate, current, verifiable and understandable.
- F. Update timely information, thus taking all the news in the data holder. In addition, they must implement all necessary measures so that the information is kept up to date.
- g. Rectify incorrect information when and communicate pertinent.
- h. Respect the security and privacy of cardholder information.
- i. Handle inquiries and complaints made under the terms prescribed by law.
- j. Identify when certain information is under discussion by the holder.
- k. Inform request of the holder on the given data use.
- l. Inform the data protection authority when violations of safety codes and there are risks arise in the management of information holders.
- m. Meet the requirements and instructions issued by the Superintendency of Industry and Commerce on the subject in particular.
- n. Use only data processed is previously authorized in accordance with the provisions of Law 1581 of 2012.
- or. Ensure proper use of personal data of children and adolescents in cases where treatment authorized enter your data.
- p. Register in the database the legend "claim pending" in the way it is regulated by law.

- q. Insert into the database the legend "information in court discussion" once notified by the competent authority on judicial proceedings related to the quality of personal data.
- r. Refrain from circulating information that is being contested by the holder and whose lock has been ordered by the Superintendency of Industry and Commerce
- s. Allow access to information only to people who can access it.
- t. Use the holder's personal data only for those purposes for which is duly empowered and always respecting the current regulations on protection of personal data.

## **VII. AUTHORIZATION AND CONSENT OF THE HOLDER**

EARLOGIC SAS requires free, prior, and informed consent of the holder of personal data for processing thereof, exceptos as expressly authorized by law, namely:

- to. Information required by a public or administrative entity in the exercise of their legal or court order functions.
- b. Data of a public nature.
- c. Cases of medical or health emergency.
- d. Information processing authorized by law for historical, statistical or scientific purposes.
- and. Data related to the Civil Registry of Persons

### **Manifestation of authorization**

Authorization to our company for the processing of personal data shall be granted by:

The owner, who must prove his identity sufficiently by the various means that SAS made available EARLOGIC

The assignees of the owner, who must prove that quality.

The representative and / or proxy holder, subject to proof of the representation or empowerment.

Another for or for which the holder has stipulated.



### **Means for granting authorization**

EARLOGIC SAS obtain authorization through different means, including electronic physical document, message data, Internet, Web sites, or in any other format which in any case allows obtaining consent by unambiguous behaviors through which it is concluded that just have not stocked by the owner or person entitled to it, the data had not been stored or captured in the database.

The authorization shall be requested by the Company prior to the processing of personal data.

### **Proof of authorization**

EARLOGIC SAS keep proof of the authorization granted by the holders of personal data for processing, for which it will use the mechanisms available to them today as take the necessary actions to maintain the registration form and date where he obtained it. Consequently EARLOGIC SAS may establish physical files or electronic repositories made directly or through third parties contracted for this purpose.

### **Revocation of the authorization.**

Holders of personal data may at any time revoke the authorization granted to EARLOGIC SAS for the processing of personal data or request removal thereof, provided they do not prevent a legal or contractual provision. The company will establish simple and free mechanisms that allow the holder to revoke its authorization or request personal data deletion, at least by the same means by which it granted.

For this, it should be noted that the revocation of consent may be expressed on the one hand, total manner in relation to the purposes authorized, and therefore the company should cease any activity data processing; and other partially on certain types of treatment, in which case they will cease on which these processing activities, such as for advertising, among others. In the latter case, the company may continue to treat personal data for those purposes for which the holder has not revoked his consent.

## VIII. TREATMENT TO WHICH DATA AND BE SUBMITTED PURPOSE

### OF THE SAME

The processing of personal data of patients, users, EMPLOYEES, former employees, retirees, suppliers, contractors, or any person with whom the company hath established or establish a permanent or casual relationship, take place in the legal framework governing Health sector.

In any case, personal data may be collected and processed for:

- to. Make sending information related to programs, activities, news, content by area of interest, products and other goods or services offered by EARLOGIC SAS.
- b. EARLOGIC develop SAS's mission according to its statutes
- c. Comply with regulations in force in Colombia for health institutions.
- d. Comply with the rules applicable to suppliers and contractors, including but not limited to tax and commercial
- and. Comply with the Colombian labor law and health and safety at work matters, among others, applicable to former employees, current employees and candidates for future employment.
- F. Conduct surveys related services or company assets
- g. Develop programs according to its statutes
- h. Keep in touch patients and their families.
- i. Promote research in all fields including scientific
- j. Fulfill all its contractual commitments.

For the processing of personal data of children and adolescents will proceed in accordance with the policy contemplated herein in the section related to their rights.

### **sensitive data**

In the case of sensitive personal data, the company may use and treat them as:

- to. The holder has given explicit authorization, except in cases required by law not granting such authorization.
- b. Processing is necessary to protect the vital interests of the owner who is physically or legally incapacitated. At these events, the legal representatives must give their authorization.

- c. The processing is carried out in the course of legitimate activities with appropriate guarantees by a foundation, NGO, association or any other non-profit organization whose purpose is political, philosophical, religious or trade union, provided they relate exclusively its members or persons who have regular contact because of their purpose. In these events, the data can not be provided to third parties without the authorization of the owner.
- d. The processing relates to data necessary for the establishment, exercise or defense of a right in judicial proceedings.
- and. Treatment has a historical, statistical or scientific purposes. This event measures leading to the abolition of identity holders should be adopted.

Subject to the exceptions provided by law, in the processing of sensitive data prior, express and informed consent of the holder, which must be obtained by any means that can be consulted and further verification is required.

## IX. NOTICE OF PRIVACY

The Privacy Notice is the physical document, electronic or any other format, made available to the owner to inform you about the processing of their personal data. Through this document the holder communicates information related to the existence of political information processing company and to apply, how to access them and treatment characteristics that aims to give data personal.

The privacy notice must contain at least the following information:

- to. Identity, address and contact details of the controller.
- b. The type of treatment which will undergo data and purpose thereof.
- c. Holder's rights
- d. The general mechanisms provided by the person responsible for the policy holder knows the information processing and the substantial changes that occur in it. In all cases, the holder must inform or consult accessing policy information processing.

and. The optional nature of the response on questions about sensitive data

## X. GUARANTEES THE RIGHT OF ACCESS

To ensure the right to access the data owner, EARLOGIC SAS will make available to it, with proof of identity, legitimacy, or personality of their representative without cost or any expenditure, in detail and in detail, the respective personal data through all kinds of means, including electronic means, which allow the holder direct access to them. Such access should be provided without limitation and should allow the holder to know them and update them online.

## XI. PROCEDURE FOR answering inquiries, COMPLAINTS, REQUESTS FOR CORRECTION, DATA UPDATING AND SUPPRESSION

### to. inquiries:

Holders or their beneficiaries may consult the personal information of the owner to rest in EARLOGIC SAS, who will supply all information contained in the individual record or that is linked to the identification of the Contractor.

With regard to the attention of query requests personal data EARLOGIC SAS guarantees:

- Enable electronic media or other it deems appropriate.
- Establish forms, systems and other simplified methods, which shall be informed in the privacy notice.
- Use customer service or claims you have in operation.
- In any case, regardless of the implemented applications for care consultation mechanism, they will be served in a maximum term of working days from the date of receipt. When it is not possible to attend the consultation within that term, it will inform the interested party before the expiration of 10 days, stating the reasons for the delay and indicating the date your inquiry will be addressed, which in no case shall exceed five (5) business days following the expiration of the first term.
- Inquiries may be made to the mail [auxiliar@earlogicamerica.com](mailto:auxiliar@earlogicamerica.com)

### b. claims

The holder or his assignees consider that the information contained in a database should be subject to correction, updating or deletion, or when warn the alleged breach of any of the duties under the law, may file a complaint with EARLOGIC SAS, which will be processed under the following rules:

one. I claim of the Contractor shall be made by writing to SAS EARLOGIC email [auxiliar@earlogicamerica.com](mailto:auxiliar@earlogicamerica.com) or by writing to the administrative department, identifying the holder, the description of the facts giving rise to the claim, management, and accompanying documents want to enforce. If the complaint is incomplete, the interested party will be required within five (5) days following the receipt of the complaint to remedy failures days. After two (2) months from the date of request, without the applicant presents the required information is deemed to have abandoned the claim.

If the recipient of the claim is not competent to solve, will transfer to the appropriate within a maximum term of two (2) business days and report the situation to the person concerned.

2. Upon receipt of the completed claim, it will be cataloged labeled "pending claim" and the reason thereof, within a period not exceeding two (2) business days. This label will be retained until the claim is decided.
3. The maximum term to address the claim will be fifteen (15) working days from the day following the date of its receipt. When it is not possible to meet the demand within that period, it shall inform the person concerned the reasons for the delay and the date your claim will be addressed, which in no case exceed eight (8) working days following the expiry of the first finished.

#### **c. Request to update and / or correction**

SAS EARLOGIC rectify and update, at the request of the holder, this information will prove to be incomplete or inaccurate, in accordance with the procedure and terms mentioned above, for which it will consider:

1. The headline should to arrive the request to the mail electronic [auxiliar@earlogicamerica.com](mailto:auxiliar@earlogicamerica.com)
2. EARLOGIC SAS will enable mechanisms to facilitate the exercise of the right holder, provided they benefit him. Accordingly, it may enable electronic or other means it deems appropriate, which will be reported in the privacy notice and be made available to interested parties on the website.

#### **d. Data deletion request**

The holder of personal data has the right to ask EARLOGIC SAS deletion (removal) in any of the following events:

1. Consider that they are not being treated in accordance with the principles, duties and obligations under current regulations.
2. are no longer necessary or relevant for the purpose for which they were collected.
3. has passed the necessary to fulfill the purposes for which they were collected period

This deletion involves partial or total removal of personal information as requested by the holder in the records, files, databases or treatment by EARLOGIC SAS However this right holder is not absolute and therefore the company may deny the exercise thereof when:

- a. The owner has a legal or contractual duty to remain in the database.
- b. Deletion of data hinders judicial or administrative proceedings related to tax obligations, investigation and prosecution of crimes or updating administrative sanctions.
- c. Data necessary to protect the legally protected interests of the holder; to perform an action in the public interest, or to fulfill an obligation legally acquired by the holder.

## **XII. NATIONAL REGISTRATION DATABASE**

EARLOGIC SAS reserves in the events covered by the law and the statutes and regulations, the ability to maintain and categorize certain information it sit in their bases or databases as confidential in accordance with applicable regulations, statutes and regulations, all of the above and in line with the fundamental and constitutional right to health and wellbeing of people.

EARLOGIC SAS proceed in accordance with the current regulations and the regulations for that purpose issued by the National Government to register their databases with the National Registration Database (RNBD) to be administered by the Superintendency of Industry and Trade. . The RNBD, is the public directory databases subject to treatment operating in the country; and that will free consultation to citizens, in accordance with regulations to that effect issued by the Government.

## **XIII. INFORMATION SECURITY AND SAFETY**

In compliance with the principle of security established in the regulations in force, EARLOGIC SAS adopt the technical, human and administrative measures necessary to provide security to the records avoiding adulteration, loss, see, use or unauthorized or fraudulent access.

#### **XIV.UTILIZACIÓN AND INTERNATIONAL TRANSFER OF PERSONAL DATA AND PERSONAL INFORMATION**

In compliance with the institutional mission and strategic plan development EARLOGIC SAS, and considering the nature of the permanent or casual relationships that any person holding personal data can have for EARLOGIC SAS, it may make

transfer and transmission, even international, of all personal data, as long as applicable legal requirements are met; and therefore holders with the acceptance of this policy expressly authorized to transfer and transmit, even internationally, personal data. The data will be transferred to all relationships that can be established with EARLOGIC SAS.

For the international transfer of personal data from the headlines, **SAS EARLOGIC** take the necessary steps to ensure that third parties known and commit to observe this policy, on the understanding that the personal information they receive, you can only be used for matters directly related to EARLOGIC SAS and only while it lasts and may not be used or intended for purpose or different purpose. For the international transfer of personal data schedule will be observed in Article 26 of Law 1581 of 2012.

International transfers of personal data by the **EARLOGIC SAS**, not be required to be reported to the owner or their consent when under a contract of transfer of personal data in accordance with Article 25 of Decree 1377 of 2013.

EARLOGIC SAS may also exchange personal information with government or other public authorities (including, among other judicial or administrative authorities, tax authorities and criminal investigation agencies, civil, administrative, disciplinary and fiscal), and third participants in civil legal proceedings and their accountants, auditors, lawyers and other advisers and representatives, because it is necessary or appropriate: (a) to comply with applicable laws, including different laws to those of their country of residence; (B) to comply with legal processes; (C) to respond to requests from public authorities and government, and to respond to requests from public authorities and different from their country of residence government; (D) to enforce our terms and conditions; (E) to protect our operations; (F) to protect our rights, privacy, safety or property, yours or others; and (g) obtaining allowances applicable or limit the damages that could affect us.

#### **XV. MANAGER RESPONSIBLE AND PERSONAL DATA PROCESSING**

EARLOGIC SAS will be responsible for the processing of personal data. Management will be responsible for the processing of personal data, account

COMPANY EARLOGIC SAS.

**XVI. VALIDITY**

This policy is effective as of January 2, 2018 and supersedes special effects regulations or manuals that could have been taken by administrative authorities in EARLOGIC SAS.

**MARIVETE TERESINHA**

**ORIO MANAGER**