



PRIVACY AND PERSONAL DATA POLICY - ICONTEC

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I. DISTRIBUTION LIST

This document is property of the **COLOMBIAN INSTITUTE OF TECHNICAL STANDARDS AND CERTIFICATION**, hereinafter **ICONTEC** (by its acronym in Spanish), and is issued to comply with legal parameters that seek protection of Personal Data of its interested parties.

II. CLASSIFICATION AND CONFIDENTIALITY

This document is classified as of “Public Use”. This document is the property of **ICONTEC** and is circumscribed to its officials and/or users who have express authorization to consult it. Total or partial reproduction of this document as well as its transmission to third parties, is forbidden without authorization of **ICONTEC**.

III. INTRODUCTION

ICONTEC is a private, non-profit organization which purpose is, on the one hand, to support the national government in its role as a standardization body, and, on the other, to promote cultural transformation, productivity, competitiveness, sustainability, safety, trust, and quality of national incorporations, products and services, in addition, to facilitate commercial exchange, environment protection and consumer’s health.

IV. REGULATORY PROVISIONS

- Article 15/Colombian Political Constitution¹.
- 1266/2008 Law; 1273/2009 Law².
- 1581/2012 Statutory Law; 1377/2013 Decree; 1074/2015 Decree³.
- 2300/2023 Law⁴.

¹ Article 15 – Colombian Political Constitution, establishes that any person has the right to know, update and rectify their Personal Data held in public and private entities files and data bases. Also, orders those who process Personal Data to guarantee data owners’ rights as provided in the Constitution, especially those related to collection, Processing and circulation of this kind of information.

² 1266/2008 Law regulates financial habeas data rights; 1273/2009 Law, establishes “Personal Data violation” as a crime.

³ 1581/2012 Statutory Law; 1377/2013 Decree; 1074/2015 Decree, established the minimum conditions to carry out the legitimate and adequate Personal Data Processing, and also, mandates those responsible for its treatment and Processing to adopt internal policies that ensure compliance with current regulations on this matter.

⁴ 2300/2023 Law establishes measures to protect consumer’s privacy.

V. BASIC CONCEPTS

According to the legal parameters, the following definitions are established, and will be applied, in accordance with the principles that govern habeas data and Personal Data protection:

- **Authorization:** Personal Data Owner's prior, unequivocal, informed and express consent, to carry out the Processing.
- **Database:** Organized set of Personal Data subject to Processing.
- **Personal Data:** Any information that directly or indirectly refers to a natural person, or, is associated with one or more persons, and identifies them. Some examples of Personal Data are the following: name, citizen identification number, physical address, email address, telephone number, marital status, health data, fingerprints, salary, assets, financial statements, etc.
- **Public Personal Data:** Data classified as such by Law and/or the Colombian Political Constitution, or, any kind of data that is not classified as private, semi-private or sensitive. Public Personal Data includes, among others, data related to any person civil registration, profession, data contained in the RUNT, or data contained in the public commercial registry of the Chamber of Commerce. Due to its nature, public data may be contained, among others, in public records, public documents, official gazettes and bulletins, and duly executed judicial rulings, that are not subject to confidentiality.
- **Private Personal Data:** Data that, due to its intimate or reserved nature, is only relevant to the person who owns such data. Examples: accounting books, information extracted from legal inspections, telephone numbers as long as it is not found in public databases, or salary.
- **Semi-private Personal Data:** Data that is neither intimate, reserved, nor public and whose knowledge or disclosure may be of interest not only to its owner, but also, to a certain sector, group of people, or the society in general, such as, among others, the data referring to compliance or noncompliance of financial obligations, or data related social security entities.
- **Data Processor:** Natural person, incorporation, or government entity, who, by themselves or in association with others, processes Personal Data on behalf of a Data Processing Responsible.
- **Data Processing Responsible:** Natural person, incorporation, or government entity, who alone or in association with others, decides on the database and/or the Processing of data.
- **Data Owner:** Natural person whose Personal Data is subject to Processing.
- **Processing:** Any operation or set of operations on Personal Data, such as collection, storage, use, circulation, or deletion.

- **Video Surveillance Systems:** Technological means located in facilities, to guarantee and improve security. The specifications determined for Personal Data obtained by a Video Surveillance System, are described in the Privacy Notice published on that matter.

VI. PERSONAL DATA PROCESSING PRINCIPLES

This policy will be governed by the following guiding principles:

- **Legality:** Data Processing and treatment referred in this policy, is subject to legal regulations.
- **Purpose:** The Data Processing must obey a legitimate purpose in accordance with the Constitution and Law.
- **Freedom:** Processing can only be carried out with prior, expressed and informed consent of the Data Owner. Personal Data may not be obtained or disclosed without prior authorization, or in the absence of a legal or judicial mandate.
- **Truthfulness:** The information subject to Processing must be truthful, complete, exact, updated, verifiable and understandable. The Processing of partial, incomplete, fragmented or misleading data is prohibited.
- **Transparency:** While in the Processing, the Data Owner has the right to know and rectify its data at any time and without any restriction, from the Data Processor or the Data Processing Responsible.
- **Access and Circulation:** Processing is subject to limits derived from the nature of Personal Data, security procedures, and the aforementioned legal framework, so that, authorized individuals by the Data Owner can only carry it out, or those that the Law provide. Personal Data may not be on the Internet, or other means of dissemination and mass communication, unless access is technically controllable to provide knowledge restricted only to holders or authorized third parties in accordance with what is described here.
- **Security:** The information subject to Processing by the Data Processor or the Data Processing Responsible must be handled with the necessary technical, human and administrative security measures to avoid its adulteration, loss, unauthorized or fraudulent consultation, use or access.
- **Non-Disclosure:** All persons involved in the Processing of Private Personal Data or Semi-Private Personal Data, are obliged to guarantee its confidentiality, even after the end of the Processing, and may only supply or communicate such data when, this corresponds to development activities authorized in the aforementioned internal and legal frameworks.

VII. DATA OWNER'S RIGHTS

ICONTEC respects and guarantees all Data Owner's rights, such as listed below:

- To know, update and rectify their Personal Data.
- To request proof of their authorization given for the Processing of their Personal Data, except in cases provided by Law.
- To be informed regarding the use that **ICONTEC** has given to their Personal Data.
- To file complaints within the Industry and Commerce Superintendence, regarding violations that **ICONTEC** may commit against the rights of their Personal Data.
- To revoke the authorization and/or request the deletion of their Personal Data, when their constitutional, legal rights, principles and guarantees, are not respected.
- To gain free access to their processed Personal Data.
- In the case of Personal Data captured through Video Surveillance Systems, refer to the Privacy Notice.

VIII. PERSONAL DATA PROCESSING PURPOSES

ICONTEC may collect and process Personal Data from its clients, users, policyholders, beneficiaries, affiliates, employees, members of the board of directors, apprentices, suppliers and other collaborators for financial reasons, such as but not limited to: records for collection efforts and/or information centers, credit and financial management, insurance intermediaries, to offer products and services, satisfaction and service quality surveys, to share information with reinsurers and insurance intermediaries for contracting products and services, attention to claims, commercial management and in general, all activities authorized by the owner, in accordance with the provisions of 2300/2023 Law.

In the same way, purposes of the Processing include guaranteeing security of goods and people who access **ICONTEC** facilities whose information will be maintained for Video Surveillance purposes, SV, Closed Circuit Television (CCTV) and security cameras to use said information in different processes and procedures, such as fraud investigation, fraud prevention, robbery and/or disciplinary processes.

Finally, it is important to highlight that, whoever accesses **ICONTEC** services may refrain from providing confidential information, or, information that is not necessary for the provision of contracted services, so

that the provision of said information is solely under the owner's autonomy and will. The Personal Data provided will be used to the execution of contracted services, and will be incorporated into a database whose responsibility and management is full responsibility of **ICONTEC**.

ICONTEC refrains from transferring, selling or sharing Personal Data entrusted to it by third parties, without their express authorization. Likewise, **ICONTEC** will update, rectify or delete all data when it is inaccurate, incomplete, or its owner requests its deletion.

IX. DATA PROCESSING RESPONSIBLE DUTIES.

Taking into account that the Data Processing Responsible is the one who defines or decides on information databases and their Processing, in the event that **ICONTEC** acts as such, it must comply with the following duties:

- To request and keep, under the conditions provided in this policy, a copy or recording of the respective authorization granted by the Data Owner.
- To inform Data Owners clearly and sufficiently about the purpose of data collection, and, to inform them about all rights they have by virtue of the authorization granted.
- To guarantee Data Owners, through the channels established in this policy, at all times, the full and effective exercise of their habeas data rights, that is, knowing, updating and/or rectifying their Personal Data.
- To inform at the Data Owner's request, about the use given to their Personal Data.
- To observe and comply with all principles established in this policy.
- To keep all information and data under necessary security conditions, in order to prevent its adulteration, loss, unauthorized use, or fraudulent access.
- To update all information and data, when necessary.
- To rectify all Personal Data, when appropriate.
- To provide the Data Processor, only authorized Personal Data granted by third parties.
- To guarantee that the information provided to the Data Processor is true, complete, accurate, updated, verifiable and understandable.
- To communicate the Data Processor, in a timely manner, all news regarding the data provided.

- Demand the Data Processor, at all times, to respect the security and privacy conditions of the Data Owner's information.
- To Inform the Data Processor, when certain information is under discussion by the Data Owner.
- To Inform that the use of the data corresponds to the development of its activities.
- To designate suitable officials for the management of personal information, using the security measures implemented to prevent adulteration, loss, consultation or unauthorized use.
- To guarantee protection of the Personal Data of its interested parties, adopting technical and legal measures that seek to avoid its alteration, loss, treatment or unauthorized access.
- Follow the instructions and requirements formulated by the Industry and Commerce Superintendence.
- Others that are provided for in the current general regulations that normalize this matter.

X. DATA QUALITY

When providing information to **ICONTEC**, no interested parties may use the identity or data of another person. Additionally, at all times, information must only include data corresponding to the interested party own identity, which must be adequate, relevant, current and true. Whoever provides incorrect, false, other people/outside information, or when, referring to their own data, include erroneous, outdated, inappropriate or impertinent information, will be solely responsible for any damage caused to third parties or to **ICONTEC**.

XI. COOKIES

ICONTEC may use cookies during the provision of services on its website. Cookies are not stored on its own servers, but on the visitor's device or computer. **ICONTEC** is not responsible for privacy policies of those sites that visitors access through links on the page www.ICONTEC.org, and others owned by it.



XII. NATIONAL DATABASE REGISTRY

ICONTEC may, in accordance with legal parameters and those described in this policy or its related documents, store all information that resides in its databases. Likewise, it will register databases within the National Database Registry (RNBD) administered by the Industry and Commerce Superintendence.

XIII. POLICY TERM, MODIFICATION, UPDATE AND/OR INFORMATION HANDLING. a. TERM.

The validity/term of these privacy, protection and Personal Data Processing policies, began on July twenty-six (26), two thousand thirteen (2013), in compliance with Law 1581 of 2012, and its other regulatory provisions.

b. MODIFICATIONS.

Modifications were made to the content of the Policy on December 12, 2023.

DATE	CHANGE	VERSION
July 26, 2013	Document creation	V 1.0
June 15, 2017	Modification to the content of the Policy	V 2.0
December 12, 2023	Modification to the content of the Policy	V 3.0

PRIVACY NOTICE

This privacy notice establishes the terms and conditions under which **ICONTEC**, who acts as responsible for the Processing of databases and personal information, informs Data Owners of the existence of the applicable Information Treatment Policy, as well as their purposes, the rights that assist them and the mechanisms available for their exercise.

In the same way, we inform that the data received from our clients and affiliates is not distributed to third parties for any purpose that is unrelated to **ICONTEC's** own activities. Additionally, our systems do not have the option enabled for this data to be publicly available and consequently, it is not possible to consult or use

it by people outside of **ICONTEC**. Added to this is the fact that all our collaborators have the duty to strictly reserve the information they know in the exercise of their duties.

In accordance with Law 1581 of 2012 and its regulatory decree 1377 of 2013, it is necessary that you grant us authorization to continue Processing your Personal Data, which we appreciate doing in the shortest possible time to be able to communicate information that may be of absolute interest to you.

Data Processing Responsible: ICONTEC, as the person responsible for data Processing, will respond to all requirements through the email cliente@icontec.org, or by written communication addressed to the address Av calle 26 No 69 - 76 / tower 4 / floor 9, edificio Elemento from the city of Bogotá D.C..

The data owner may make requests regarding revocation of authorization and/or deletion of Personal Data Processing, through the following link: <https://icontechabeasdata.azurewebsites.net/>

Processing: The Processing that will be carried out on Personal Data includes the collection, storage, use, circulation and transmission in accordance with the Privacy Policy and Processing of Personal Data. Said treatment will be carried out for the following purposes:

(i) Carry out the relevant steps for the development of the pre-contractual, contractual and post-contractual stages of **ICONTEC**; (ii) Process Personal Data to carry out activities related to the corporate purpose of **ICONTEC**; (iii) Manage procedures (requests, complaints, claims), carry out risk analysis, carry out satisfaction and service quality surveys regarding **ICONTEC** goods and services; (iv) Video surveillance systems: Technological means located in the facilities to improve the security of those who enter; (v) Contact and/or send, through telephone, electronic, physical and/or personal means, information related to the provision of the service or information on any product or service offered by **ICONTEC**, notices, propaganda or advertising about products and/or services under the parameters established in Law 2300 of 2023; (vi) Access and consult the information that resides or is contained in databases or files of any private or public entity, whether national, international or foreign; (vii) Create and manage databases; (viii) Share Personal Data for the functions derived from the corporate purpose, for which it is optional to authorize its Processing and/or respond to questions about sensitive data; (ix) Offer new **ICONTEC** commercial products and services; (x) Carry out financial arrangements; (xi) Carry out procedures (requests, complaints, claims) and security, databases for video surveillance purposes, SV, closed circuit television (CCTV), implemented security cameras; (xii) Provide information to third parties with whom you have a contractual relationship and it is necessary or convenient to deliver it for the fulfillment of the contracted object or for any commercial alliance; (xiii)

Advance the processes of recognition, payment of claims and other procedures in order to manage insurance policies and/or additional services, when an insurance contract has been intended to be subscribed or has been subscribed. **(xiv)** Consult, at any time, and in any legally authorized risk information center, all the relevant information to know your performance as a debtor, your payment capacity or to assess the future risk of granting you a loan. **(xv)** Report to any legally authorized risk information center, data on timely compliance and non-compliance, if any, of its credit obligations, or of its legal duties of patrimonial content, in such a way that they present information truthful, relevant, complete, up-to-date and accurate of your performance as a debtor.

Data Owners Rights: **(i)** Know, update and rectify their Personal Data; **(ii)** Request proof of authorization to process your Personal Data, except in cases provided for by Law; **(iii)** Be informed regarding the use that **ICONTEC** has given to your Personal Data. **(iv)** Submit complaints to the Superintendency of Industry and Commerce for violations that **ICONTEC** commits of the right it has over your Personal Data; **(v)** Revoke the authorization and/or request the deletion of your Personal Data, when constitutional and legal rights, principles and guarantees are not respected; **(vi)** Free access to your Personal Data that has been processed.

Channels provided by **ICONTEC** to access or consult the Information Processing Policy: website www.icontec.org, our company, corporate documents: <https://www.icontec.org/corporative-documents/>

AUTHORIZATION FOR PERSONAL DATA PROCESSING

As the owner(s) of the data, acting freely and voluntarily, I expressly and unequivocally authorize the Processing of my Personal Data to the **COLOMBIAN INSTITUTE OF TECHNICAL STANDARDS AND CERTIFICATION**, hereinafter **ICONTEC**, and/or to whomever your rights are transferred, to process my personal information and/or Personal Data, in accordance with the provisions of Law 1581 of 2012 and other current regulations, and as described in the Privacy Policy and Personal Data Processing and the Privacy Notice available on the website www.icontec.org, our company, corporate documents: <https://www.icontec.org/documentos-corporativos/>

Once the above details have been made, you authorize:

- 1. PURPOSES OF PERSONAL DATA PROCESSING:** In addition to those authorized by the Constitution, the Law, and the corporate purpose of **ICONTEC**, the data will be processed to: (i) Carry out the pertinent steps for the development of the pre-Processing stage. contractual, contractual and post-contractual of **ICONTEC**; (ii) Process Personal Data to carry out activities related to the

corporate purpose of **ICONTEC**; (iii) Manage procedures (requests, complaints, claims), carry out risk analysis, carry out satisfaction and service quality surveys regarding **ICONTEC** goods and services; (iv) Video surveillance systems: Technological means located in the facilities to improve the security of those who enter; (v) Contact and/or send, through telephone, electronic, physical and/or personal means, information related to the provision of the service or information on any product or service offered by **ICONTEC**, notices, propaganda or advertising about products and/or services under the parameters established in Law 2300 of 2023; (vi) Access and consult the information that resides or is contained in databases or files of any private or public entity, whether national, international or foreign; (vii) Create and manage databases; (viii) Share Personal Data for the functions derived from the corporate purpose, for which it is optional to authorize its Processing and/or respond to questions about sensitive data; (ix) Offer new **ICONTEC** commercial products and services; (x) Carry out financial arrangements; (xi) Carry out procedures (requests, complaints, claims) and security, databases for video surveillance purposes, SV, closed circuit television (CCTV), implemented security cameras; (xii) Provide information to third parties with whom you have a contractual relationship and it is necessary or convenient to deliver it for the fulfillment of the contracted object or for any commercial alliance; (xiii) Advance the processes of recognition, payment of claims and other procedures in order to manage insurance policies and/or additional services, when an insurance contract has been intended to be subscribed or has been subscribed. (xiv) Consult, at any time, and in any legally authorized risk information center, all the relevant information to know my performance as a debtor, my payment capacity or to assess the future risk of granting me credit. (xv) Report to any legally authorized risk information center, data on timely compliance and noncompliance, if any, of my credit obligations, or of my legal duties of patrimonial content, in such a way that they present information truthful, relevant, complete, updated and accurate of my performance as a debtor.

2. **RIGHTS OF THE INFORMATION OWNER:** I freely and voluntarily declare that **ICONTEC** has informed me clearly and precisely: (i) That my rights as the Owner of the data are those provided for in the Constitution and the Law; (ii) That I have the right to know, update and rectify your Personal Data; (iii) That I can request proof of authorization to process your Personal Data, except in cases provided for by Law; (iii) That I have the right to be informed regarding the use that **ICONTEC** has given to my Personal Data; (iv) As well as the right to file complaints with the Superintendency of Industry and Commerce for violations that **ICONTEC** commits of the right it has over my Personal

Data; (v) That, as the Owner of the data, I can revoke the authorization granted and/or request the deletion of my Personal Data, when constitutional and legal rights, principles and guarantees are not respected. (vi) Free access to my Personal Data that has been processed. (vii) That I can exercise my rights through the channels provided by **ICONTEC** as data controllers, observing the Information Processing Policy.

3. **DATA PROCESSING RESPONSIBLE:** I know and understand that the Data Processing Responsible is **ICONTEC**.

4. **COMMUNICATION CHANNELS:** I am aware that the communication channels provided by **ICONTEC**, so that, as the Data Owner, I can exercise all rights regarding the Processing through the following channels: cliente@icontec.org, or by written communication addressed to the address Av calle 26 No 69 - 76 / tower 4 / 9th floor, Elemento building of the city of Bogotá, or by entering the link <https://icontechabeasdata.azurewebsites.net/> to make requests related to revocation authorization and/or deletion of Personal Data Processing.

5. **AUTHORIZATION:** Finally, I declare that I undertake to read and consult the Personal Data Processing Policy and the Privacy Notice, and I authorize the data Processing and **ICONTEC** to modify or update the content of the Policy (contained on the page website www.icontec.org, our company, corporate documents: <https://www.icontec.org/documentos-corporativos/>) in order to address legislative reforms, internal policies or new requirements for the provision or offering of services and/ or products, giving prior notice by any means.

As evidence of your knowledge of the present information and authorization, a record will be made and you will voluntarily provide us with your personal data with which you will identify yourself inside our facilities and for commercial purposes. If you do not wish to be recorded, please immediately inform the security or porter's staff, who will ask you not to enter the facilities and will have the person of your interest or the delegate attend you outside the building.

AUTHORIZATION OF SCHEDULES AND PERIODICITY OF CONTACT

The Owner of the data and/or consumer grants his express, free and voluntary authorization so that **ICONTEC** can contact him at times other than those established in article 3 of Law 2300 of 2023., with the purpose that **ICONTEC** can contact him and /or send, through telephone, electronic, physical and/or personal means, information related to the provision of the service or information, propaganda or advertising of any product or service offered by **ICONTEC**.