

## PERSONAL DATA PROCESSING AND PROTECTION POLICY

BANCO DE OCCIDENTE, a legally established credit institution supervised by the Financial Superintendence of Colombia, with Tax Identification Number 890.300.279-4 and main address at Carrera 4, No. 7-61 in the city of Cali, in strict compliance with the provisions of Law 1581 of 2012 and the concordant regulations related to the protection of personal data, hereby presents the Personal Data Processing and Protection Policy adopted by BANCO DE OCCIDENTE.

The provisions herein presented are of obligatory and rigorous compliance for all Bank employees as well as third parties to whom the Bank, in its capacity as the custodian of data, has entrusted the processing of such data.

### Scope

Law 1581 of 2012 constitutes the general framework for the protection of personal data in Colombia, which aim to develop the constitutional right of all the persons to know, update and rectify the information that has been collected about in databases or files Furthermore, it seeks to uphold other constitutional rights, freedoms, and guarantees referenced in Article 15 of the Political Constitution. It also recognizes the right to information as set forth in Article 20 of the same Constitution. The framework for the protection of personal data shall not apply to databases or records that are:

- Exclusively maintained for personal or domestic use.
- Established for the objectives of national security and defense, encompassing the prevention, detection, monitoring, and control of money laundering and the financing of terrorism.
- Intended for and contain intelligence and counterintelligence information.
- Journalistic information content and other editorial content.
- Regulated by Law 1266 of 2008 (Habeas Data: Financial and credit-related data).
- Regulated by Law 79 of 1993 (Censuses of Population and Housing throughout the National Territory).

### Applicable Regulations

- Article 15 of the Political Constitution of Colombia, which enshrines the rights to privacy, good name and reputation, and the protection of Personal Data or habeas data.
- Law 1581 of 2012, which establishes comprehensive provisions for the protection of Personal Data.
- Decree 1377 of 2013, partially regulating Law 1581 of 2012, focusing on aspects related to Information Owner consent, transfers of Personal Data, and demonstrated responsibility in Personal Data handling.
- Decree 886 of 2014, partially regulating Law 1581 of 2012, with specific regard to the National Registry of Databases.
- Any further provisions that may amend, regulate, substitute, or repeal the aforementioned regulations.

## Definitions

- **Authorization:** The prior, express, and informed consent of the Data Subject for the Processing of personal data.
- **Privacy Notice:** Verbal or written communication generated by the data controller, addressed to the holder for the processing of their personal data. Through this communication, the data subject is informed of the existence of applicable Information Processing policies, procedures for their access, and the intended purposes of the Processing intended for the personal data.
- **Database:** An organized collection of personal data subject to Processing.
- **Successor:** A natural or legal person who has succeeded or assumed the position of another, herein referred to as the predecessor, through any legal instrument within the rights of the latter.
- **Personal Data:** Any information affiliated or with the potential to be linked to one or more specifically identifiable natural persons.
- **Private Data:** Data that, due to its intimate or confidential nature, is exclusively pertinent to the data subject. It is similar to sensitive data.
- **Public Data:** Data that does not belong to the realms of semi-private, private, or sensitive classifications. It comprises, among other forms, information related to individuals' marital status, identification numbers (in accordance with Article 213 of the Electoral Code), profession or occupation, and status as a merchant or public servant. By its intrinsic constitution, public data may be content, among other sources, within public records, official documents, gazettes, authorized bulletins, and legally binding court judgments that are not subject to confidentiality. The Processing of such data may be executed without the prior authorization of the Data Subject, although the Processing must steadfastly adhere to the tenets and responsibilities enshrined in Law 1581 of 2012.
- **Semi-Private Data:** Semi-private data is data that is not of an intimate, reserved, or public nature, and whose knowledge or disclosure may be of interest not only to its data subject but also to a certain sector or group of people or to society at large. An example is financial and credit-related data concerning commercial or service-oriented activities as referred to in Law 1266 of 2008.
- **Sensitive Data:** Data that directly impacts the privacy of the data subject or whose improper use could lead to discrimination, including data revealing racial or ethnic origin, political orientation, religious or philosophical beliefs, membership in associations, social organizations, human rights groups, or promoting interests of any political party or ensuring the rights and guarantees of opposition political parties. It also embraces data relating to health, sexual life, and biometric information.
- **Data Processor:** A natural or legal person, whether public or private, who, either independently or in partnership with others, conduct the Processing of personal data on behalf of the data controller.
- **National Database Registry (RNBD):** The public directory of databases subject to Processing operating within the country. The record will be administered by the Superintendence of Industry and Commerce and will be open for consultation by citizens.
- **Data Controller:** A natural or legal person, whether public or private, who, either independently or in partnership with others, makes decisions regarding the database and/or the Processing of data.

- **Data Subject:** A natural person whose personal data is the subject of Processing.
- **Transfer:** Data transfer occurs when the data controller and/or data processor, located in Colombia, sends information or personal data to a recipient who is also responsible for the Processing and is located inside or outside the country. In the case of international data transfers, the jurisdiction must ensure adequate levels of data protection.
- **Transmission:** The Processing of personal data that involves the communication of such data within or outside the territory of the Republic of Colombia when it is intended for Processing by the Data Processor on behalf of the Data Controller. Such transmissions will be contingent upon contractual arrangements as established in Article 25 of Decree 1377 of 2013.
- **Processing:** Any operation or set of operations on personal data, such as collection, storage, use, circulation, or deletion.

## Personal Data Processing

BANCO DE OCCIDENTE and the AUTHORIZED ENTITIES (subsidiaries, affiliates, associated or linked to its parent or controlling entity; subsidiaries, affiliates, associated or linked to its parent's entity, and their successors, assignees, or those who represent or hold their rights), use Personal Data governed by Law 1581 of 2012 for the following purposes:

### Clients and Users:

- a. Promotion, marketing, or offering, either individually or collectively, of products and/or services that are either proprietary or offered through business alliances, using any media or channels, or enhancement, optimization, or expansion of the portfolio of currently offered products and/or services.
- b. As an analytical tool during pre-contractual, contractual, and post-contractual stages to establish and/or maintain any contractual relationship, encompassing the following objectives: i. Updating databases and processing the opening and/or affiliation of products and/or services at BANCO DE OCCIDENTE or any of the AUTHORIZED ENTITIES; ii. Assessing risks stemming from potential, active, or concluded contractual relationships; iii. Conducting, validating, authorizing, or verifying transactions, including, when necessary, the consultation and reproduction of sensitive data such as fingerprints, images, or voice recordings; iv. Gaining insight into the commercial or transactional profile of the data subject, the initiation, modification, execution, and/or termination of direct, contingent, or indirect obligations, default on obligations undertaken with BANCO DE OCCIDENTE or any third party, as well as any updates concerning such obligations, payment habits, and credit behavior with BANCO DE OCCIDENTE and/or third parties; v. Understanding the status of current active or passive operations or those of any nature conducted now or in the future with BANCO DE OCCIDENTE, other financial or commercial entities, any information operator or database administrator, or any similar entity that might be established in the future and is intended for any of the aforementioned activities; vi. Acquiring information about the management of checking accounts, savings, deposits, credit cards, commercial behavior, employment status, and other products or services, and, in general, the fulfillment and handling of credits and obligations, regardless of their nature. This authorization includes information related to management, status, fulfillment of relationships, contracts, and services, payment habits, including contributions to the social security system, obligations, and outstanding debts,

overdue and unpaid, processes, or the improper use of financial services; vii. Combating money laundering, financing of terrorism, as well as detecting fraud and other illegal activities; viii. Fulfilling legal and contractual obligations; ix. Exercising its rights, including activities related to judicial and extrajudicial debt collection and related measures to obtain payment for obligations borne by the data subject or their employer, as applicable; x. Implementation of software and technological services. For the purposes outlined in this section b, BANCO DE OCCIDENTE, as applicable, may process my Personal Data with consulting entities that manage or administer databases for legally defined purposes, domiciled in Colombia or abroad, whether natural or legal persons, Colombian or foreign.

- c. Conducting cross-selling of products and/or services offered by BANCO DE OCCIDENTE or any of the AUTHORIZED ENTITIES, as well as their business partners, including the establishment of co-branded agreements.
- d. Developing and reporting statistical information, satisfaction surveys, market studies, and analyses, including the potential for contacting me for such purposes.
- e. Sending messages, notifications, or alerts through any means to provide statements, disseminating legal and security information, promoting offers, commercial campaigns, advertisements, marketing, institutional or financial education initiatives, sweepstakes, events, or other benefits. This also encompasses informing the data subject about innovations introduced in their products and/or services, unveiling enhancements or alterations in service channels, as well as introducing other services and/or products offered by BANCO DE OCCIDENTE, the AUTHORIZED ENTITIES, or their business partners.
- f. Engaging in necessary actions, including the collection and submission of information to public or private, national or foreign authorities that possess jurisdiction over BANCO DE OCCIDENTE, the AUTHORIZED ENTITIES, or their activities, products, and/or services, whenever mandated to comply with legal or regulatory duties. This encompasses obligations related to fiscal evasion prevention, money laundering, terrorism financing, or analogous purposes as promulgated by competent authorities.
- g. Validating information using various databases of BANCO DE OCCIDENTE, the AUTHORIZED ENTITIES, governmental bodies and/or state entities, and third parties such as information operators and other entities forming part of the Comprehensive Social Security System, public service providers and mobile carriers, among others. This validation is undertaken to execute activities intrinsic to their primary and associated corporate objectives, and/or fulfill legal obligations.
- h. Enabling my Personal Data to be used as evidence. The supplied Personal Data may be circulated and transferred to all areas of BANCO DE OCCIDENTE, including service providers, network users, distribution networks, and individuals engaged in the promotion of its products and services, including call centers, whether domiciled in Colombia or abroad, encompassing natural or legal persons, Colombian or foreign, forming part of its commercial workforce, telemarketing teams, and/or data processors operating on behalf of BANCO DE OCCIDENTE, including but not limited to contractors, delegates, outsourced entities, third-party service providers, branch networks, or affiliates. This serves the purpose of developing system hosting services, maintenance, analysis services, email or physical mail messaging services, delivery services,

payment transaction management, collections, among other functions. Consequently, the data subject comprehends and accepts that, through this authorization, these third parties are granted authorization to access their Personal Data to the extent necessary for the provision of the services for which they were engaged, and subject to the fulfillment of duties inherent to their role as data processors for my Personal Data. Moreover, I hereby authorize BANCO DE OCCIDENTE to share my Personal Data with the trade associations to which the entity belongs, for commercial, statistical, and market study and analysis purposes. It is understood that the aforementioned natural and legal persons, whether national or foreign, to whom BANCO DE OCCIDENTE may entrust the Processing of my Personal Data, also possess my authorization to conduct such Processing. Additionally, through the issuance of this authorization, I hereby declare: (i) that the provided Personal Data is truthful, verifiable, and complete; (ii) that I am aware and understand that the granting of this authorization is voluntary, hence I am not obligated to provide it; (iii) that I am cognizant and understand that by presenting a written communication, I can limit, wholly or partially, the scope of this authorization, such that it may only be applicable to BANCO DE OCCIDENTE and not to the AUTHORIZED ENTITIES; and (iv) that I have been informed about my rights to know, update, and rectify my Personal Data, the facultative nature of my responses to queries related to sensitive data or data pertaining to minors, the ability to request proof of the authorization provided for its Processing, being informed about its usage, raising complaints with the competent authority for breaches of the law after exhausting the consultation or complaint process with BANCO DE OCCIDENTE, revoking this authorization, requesting the deletion of my data where applicable, and exercising my constitutional and legal rights and guarantees free of charge.

**Suppliers:** (i) Compliance with legal regulations relevant to supplier identification; (ii) establishment, maintenance, and enhancement of the contractual relationship; (iii) information updating; (iv) risk assessment; (v) expansion of products and services; (vi) determination of the consolidated level of indebtedness; (vii) execution of marketing efforts, commercial research, or statistics; (viii) for security reasons; (ix) prevention of money laundering, terrorism financing; and (x) adherence to legal and/or contractual norms, and for the duration of pending obligations, direct or indirect responsibilities, as dictated by special regulations or prescription periods.

**Candidates and Employees:** The information of candidates, including the data present in their resumes, is used to evaluate individuals for potential employment with the Bank. Employee databases serve the purpose of facilitating the development of existing employment relationships and including them in the activities anticipated by the Bank.

## Principles for the Processing of Personal Data

The processing of personal data at BANCO DE OCCIDENTE shall adhere to the following principles:

- **Principle of legality in data processing:** It is a regulated activity that must be subjected to the provisions set forth in Law 1581 of 2012 and other regulations that supplement it.
- **Principle of purpose:** It must be driven by a legitimate purpose, which should be communicated to the Data Subject
- **Principle of freedom:** It may only be exercised with the prior, express, and informed consent of the Data Subject. Personal Data cannot be obtained or disclosed without prior authorization, except in the presence of a legal or judicial mandate.

- **Principle of truthfulness:** Partial, incomplete, fragmented, or misleading Personal Data cannot be processed. Hence, Personal Data must be truthful, complete, accurate, up-to-date, verifiable, and comprehensible for its Processing.
- **Principle of transparency:** The Data Subject of Personal Data held by Banco de Occidente shall have the right to obtain information about the existence of their data.
- **Principle of restricted access and circulation:** It is subject to limitations derived from the nature of Personal Data and the provisions of Law 1581 of 2012 and related regulations. Therefore, Processing can only be carried out by individuals authorized by the Data Subject and/or authorized individuals as per applicable legislation. Except for publicly available information, Personal Data held by Banco de Occidente shall not be published on the Internet or other mass communication or disclosure platforms unless access to such information is exclusively possible by the Data Subject or third parties authorized by the Data Subject.
- **Principle of security:** Information subject to Processing by the responsible party or Processor must be handled with technical, human, and administrative measures necessary to provide security to the records, preventing their alteration, loss, consultation, unauthorized or fraudulent use or access.
- **Principle of confidentiality:** All individuals involved in the Processing of personal data that are not of a public nature are obligated to ensure the confidentiality of the information, even after their relationship with any of the tasks encompassing the Processing concludes. They may only supply or communicate personal data when it corresponds to the development of activities authorized by Law 1581 of 2012 and its provisions.
- **Principle of necessity and proportionality:** Personal data recorded in a database must be strictly necessary for the fulfillment of the purposes of the Processing, as communicated to the Data Subject. They must be appropriate, relevant, and aligned with the purposes for which they were collected.
- **Principle of temporality or expiration:** The period of retention of personal data shall be necessary to achieve the purpose for which they were collected. The Data Subject's information cannot be provided to users or third parties when it no longer serves the purpose of the data bank.
- **Principle of comprehensive interpretation of constitutional rights:** The regulations shall be interpreted in a manner that adequately safeguards constitutional rights, such as habeas data, the right to a good name, the right to honor, the right to privacy, and the right to information. The rights of the Data Subjects shall be interpreted in harmony and a balanced perspective with the right to information provided in Article 20 of the Constitution and other applicable constitutional rights.

## Responsibilities as Data Controller and Processor

BANCO DE OCCIDENTE, as the data controller, shall fulfill the following responsibilities, without prejudice to other provisions established in this law and in other regulations governing its activities:

- Ensuring the Data Subject's full and effective exercise of the right to habeas data.
- Requesting and retaining, in any format, a copy of the authorization granted by the Data Subject when required.
- Informing the Data Subject about the purpose of data collection and their rights.

- Maintaining the information under necessary security conditions to prevent its alteration, loss, consultation, unauthorized or fraudulent use or access.
- Ensuring that the information provided to third parties, to whom the Bank, as the responsible party for the information, has entrusted data processing, is truthful, complete, accurate, up-to-date, verifiable, and comprehensible.
- Updating the information, communicating it in a timely manner to the Processor, and ensuring its timely updating.
- Rectifying the information when it is incorrect and inform the Processor of this situation.
- Providing the Processor with, as applicable, only data whose Processing is previously authorized in accordance with the provisions of this law.
- Demanding that the Processor comply with the minimum conditions of security and privacy of the Data Subject's information.
- Handling queries and complaints as stipulated in the law.
- Adopting an internal manual of policies and procedures to ensure the proper compliance with this law and, in particular, for handling queries and complaints.
- Informing the Data Processor when any Personal Data is under dispute by the Data Subject.
- Providing, upon request of the Data Subject, information about the use of their data.
- Notifying the data protection authority in case of security breaches and risks in the management of the data of the Data Subjects.
- Complying with the instructions and requirements issued by the Superintendence of Industry and Commerce.

Additionally, in cases where BANCO DE OCCIDENTE acts as the Data Processor, it shall fulfill the following additional duties:

- Ensuring the Data Subject's full and effective exercise of the right to habeas data.
- Maintaining the information under security conditions that aim to prevent its alteration, loss, consultation, unauthorized or fraudulent use, or access.
- Carrying out the update, rectification, or deletion of the Personal Data under its responsibility.
- Updating the information reported by the Data Controllers within five (5) business days after receiving it.
- Managing queries and complaints filed by the Data Subjects.
- Registering the label "claim in process" in the database as regulated in this law.



- Inserting the label "information in judicial dispute" in the database once notified by the competent authority regarding judicial proceedings related to the quality of personal data.
- Refraining from circulating information that is being disputed by the Data Subject and whose blocking has been ordered by the Superintendence of Industry and Commerce.
- Granting access to the information only to individuals authorized to access it.

## Authorization for the Processing of Personal Data

BANCO DE OCCIDENTE will request the data subject's authorization for the processing of their personal data, no later than at the time of data collection. In addition, the bank will inform the personal data that will be collected, as well as all the specific purposes of the processing for which consent is obtained.

The authorization of the Data Subject will not be necessary in the following cases: Information required by a public or administrative entity in the exercise of its legal functions or by court order, data of public nature, cases of medical or health urgency, information processing authorized by law for historical, statistical, or scientific purposes, data related to the Civil Registry of Persons, and data excluded from the application of Law 1581 of 2012 as indicated in the scope of this document.

BANCO DE OCCIDENTE will ensure the proper use of the prevailing rights of children and adolescents, considering the principles and obligations established in Law 1581 of 2012 and its complementary decrees. The processing of such data is prohibited, except when it concerns data of public nature and when such processing complies with the following parameters: That it responds to and respects the best interests of children and adolescents and that it ensures the respect for their fundamental rights. Once the aforementioned requirements are met, the legal representative of the child or adolescent will grant the authorization after considering the minor's right to be heard, an opinion that will be evaluated taking into account their maturity, autonomy, and capacity to understand the matter.

BANCO DE OCCIDENTE will not process sensitive data, except when the data subject has explicitly given their consent for such processing, except in cases where the granting of such authorization is not required by law, and other exceptions established by Law 1581 of 2012 and its regulatory decrees.

BANCO DE OCCIDENTE may transfer or transmit personal data to entities that belong to or may become part of our Economic Group, its subsidiaries and/or affiliates, and third parties authorized by law in order to carry out the authorized uses and purposes.

## Rights of Data Subjects

BANCO DE OCCIDENTE will recognize the following rights in favor of the data subject in accordance with the legal terms established by Law 1581 of 2012 and its regulatory decrees:

- To know, update, and rectify their personal data. This right can be exercised, among others, with respect to partial, inaccurate, incomplete, fragmented, misleading data, or data whose processing is expressly prohibited or has not been authorized.
- To request proof of the authorization granted to Banco de Occidente, unless expressly exempted as a requirement for processing, in accordance with the provisions of Law 1581 of 2012.
- To be informed, upon request, regarding the use that has been given to their personal data.
- To access the Personal Data that have been subject to processing free of charge.



- To file complaints with the Superintendence of Industry and Commerce for violations of the provisions of Law 1581 of 2012 and other rules that may modify, add to, or complement it.
- To revoke the authorization and/or request the deletion of the data when the processing does not respect constitutional and legal principles, rights, and guarantees.

**Note:** The request for deletion or revocation will not proceed when the data subject has a legal or contractual duty to remain in the database.

## Mechanisms for Exercising Consultation and Complaint Rights

BANCO DE OCCIDENTE provides the following avenues for data subjects to exercise their rights in accordance with regulatory frameworks:

- **The Nationwide Branch Network and Credit Centers** which can be accessed through the website <https://www.bancodeoccidente.com.co>
- **Customer Service hotlines:** Nationwide at 01 8000 514 652 and in Bogotá at 307 70 27
- **Email:** [datospersonales@bancodeoccidente.com.co](mailto:datospersonales@bancodeoccidente.com.co)

**Requirements:** To facilitate the processing of requests, data subjects must duly authenticate their identity. In cases where the consultation or complaint is not initiated by the data subject, supporting documentation demonstrating their capacity as a representative, successor, or attorney should be included. Additionally, the request should specify the preferred physical or electronic address for receiving responses. In instances of complaints, it is advisable to furnish a comprehensive account of the events leading to the grievance, along with any pertinent optional documentation.

Should any of these prerequisites be absent, the applicant will receive notification within five (5) business days following the submission of their request. Notably, failure to furnish the required information within two (2) months from the date of the initial requisition will be construed as the retraction of the complaint.

**Deadline:** Response to queries will be proffered within a maximum of ten (10) business days upon receipt, which may be extended by an additional five (5) business days. In cases of complaints, responses will be tendered within a maximum of fifteen (15) business days, extendable by eight (8) supplementary business days as stipulated by legal provisions.

**Responsibility for Handling:** Queries and complaints will be overseen by the department specifically entrusted with handling complaints within the Bank and/or the Personal Data Protection Area.

## Security Measures

BANCO DE OCCIDENTE has formulated Information Security protocols to ensure adherence to the stringent requirements prescribed in this domain. Moreover, those entrusted with data processing bear the onus of ensuring security and privacy of the data subject's information, obligations seamlessly integrated within the contractual agreements.

## Video Surveillance

Banco de Occidente SA employs a diverse array of video surveillance methodologies, strategically situated in various internal and external sites of our premises and offices. It should be clarified that the data collected serves the purposes of safeguarding individuals, assets, and facilities. Furthermore, such information may be

invoked as evidence in any legal or administrative proceedings, either before judicial or executive authorities, and within the organizational structure, including interactions with insurance entities.

Regarding the existence of this mechanism, information is provided through an announcement displayed in the bank's office hallways and other media such as the internet. Considering that at the moment of entering our facilities, this action will be understood as explicit and informed authorization for the processing of these images, protected under the law.

### **Policy Validity and Amendments**

The Data Processing Policy of BANCO DE OCCIDENTE underwent revision on February 10, 2019.

Effective from this date onward, BANCO DE OCCIDENTE will promptly communicate any substantive alterations to the Data Processing Policies or the Privacy Notice via its website or other appropriate communication platforms.