

Address: Bogotá D.C.

Email: presidencia@colne.org.co

1. OBJECTIVE:

This document contains the internal policy established by the **Colegio Colombiano de Neurociencias - COLNE** to comply with Law 1266 of 2008, Law 1581 of 2012 and other rules governing the issue of Habeas Data and the protection of personal data.

Also promote the values of respect, subject to the law, reserve, confidentiality, availability, and proper handling of personal information that is used by our organization, for the fulfillment of the objectives.

This policy seeks to ensure that natural and legal persons with whom COLNE interacts know the purposes and conditions of use and treatment of personal data that are made in the development of the corporate purpose, are informed about who are responsible and responsible for the processing of their data and have the tools to exercise the right of decision and control they have over the information, use and destination of their personal data.

2. RESPONSIBLE

COLEGIO COLOMBIANO DE NEUROCIENCIAS COLNE

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3. WHEREAS: -

Article 15 of the Constitution of the Republic of Colombia enshrines the right of any person to their personal and family privacy and good name; as well as to know,

update and rectify the information collected about them in data banks and files of public or private entities.

In development of the aforementioned constitutional article, the Statutory Law 1581 of October 17, 2012 was issued, which establishes the minimum conditions to carry out the processing of personal data of customers, employees and any other natural person. Article 18, paragraph k) of said law obliges those responsible for the processing of personal data to "adopt an internal manual of policies and procedures to ensure proper compliance with this law and, in particular, for the handling of inquiries and complaints", an obligation that, if not complied with, entails the imposition of sanctions.

In order to guarantee the adoption of the internal policy manual, Decree 1377 of 2013 regulated some aspects related to its content and requirements.

COLNE is committed to respecting the rights of its members, beneficiaries, managers, contractors and third parties in general, which is why it adopts the following policy for the treatment of personal data of mandatory application in all activities involving the processing of personal data, whether these activities are commercial, civil, consumer, or labor, also governed by principles of good faith, legality, computer self-determination, freedom and transparency.

4. DEFINITIONS. -

In accordance with the provisions of the Statutory Law 1581 of 2012 and Decree 1377 of 2013, it is necessary to establish the definitions for the understanding and application of the regulation, which will be incorporated into this Manual, as follows:

- **Authorization:** Prior, express, and informed consent of the Data Subject to carry out the Processing of personal data.
- **Database:** Organized set of personal data that is subject to Processing.
- **Personal data:** Any information linked or that may be associated to one or several determined or determinable natural persons. Examples of personal

data are the following: name, citizen identification number, postal address, e-mail address, telephone number, marital status, educational data.

- **Sensitive data:** Sensitive data are understood as those that affect the privacy of the Data Subject or whose improper use may generate discrimination, such as those that reveal racial or ethnic origin, political orientation, religious or philosophical convictions, membership in unions, social organizations, human rights organizations or that promote the interests of any political party or that guarantee the rights and guarantees of opposition political parties, as well as data related to health, sexual life and biometric data.
- **Public personal data:** It is the data qualified as such according to the mandates of the law or the Political Constitution and all those that are not semi-private or private. Among others, data contained in public documents, duly executed judicial sentences that are not subject to confidentiality and those related to the civil status of persons are public.

Personal data contained in the commercial registry of the Chambers of Commerce are public, among others (Article 26 of the Commercial Code). These data may be obtained and offered without any reservation and regardless of whether they refer to general, private, or personal information.

- **Private data:** It is the data that due to its intimate or reserved nature is only relevant for the person who owns the data. Examples: merchants' books, private documents, information extracted from the inspection of the domicile.
- **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 owner but also to a certain sector or group of persons or to society in general, such as, among others, data relating to the fulfillment or non-fulfillment of financial obligations or data relating to relations with social security entities.
- **Data processor:** 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 data controller.
- **Controller:** Natural or legal person, public or private, who by himself or in association with others, decides on the database and/or the processing of data.

- **Data subject:** Natural or legal person whose personal data is the object of processing.
- **Processing:** Any operation or set of operations on personal data, such as collection, storage, use, circulation or deletion.
- **Consultation:** Request of the Data Subject or the persons authorized by him/her or by law to know the information held on him/her in databases or files.
- **Claim:** Request of the Data Subject or the persons authorized by him/her or by law to correct, update or delete his/her personal data.
- **Transfer:** Sending of personal data by the data controller or processor from Colombia to a data controller located within (national transfer) or outside the country (international transfer).
- **Transmission:** Processing of personal data that involves the communication of such data within (national transmission) or outside Colombia (international transmission) and whose purpose is the performance of a processing by the Processor on behalf of the Controller.
- **Privacy Notice:** Verbal or written communication generated by COLNE, addressed to the Holder of the personal data, in which he/she is informed of the existence of the information processing policy that will be applicable, how to access it and the purpose of the processing that is intended to be given to the personal data.

5. PRINCIPLES. -

COLNE will apply the principles below, which constitute the rules to be followed in the collection, handling, use, processing, storage and exchange of personal data:

- **Legality principle:** In the use, capture, collection and processing of personal data, the current and applicable provisions governing the processing of personal data and other related fundamental rights shall be applied.
- **Principle of purpose:** The use, capture, collection, and processing of personal data to which COLNE has access and are collected and gathered by COLNE will be subordinated and will serve a legitimate purpose, which must be informed to the respective Holder of the personal data.

- **Freedom principle:** The use, capture, collection, and processing of personal data can only be carried out with the prior, express, and informed consent of the Data Subject. Personal data may not be obtained or disclosed without prior authorization, or in the absence of legal, statutory, or judicial mandate that relieves consent.

- **Principle of truth or quality:** The information subject to processing must be truthful, complete, accurate, updated, verifiable and understandable. The processing of partial, incomplete, fractioned or misleading data is prohibited.

- **Transparency principle:** The right of the Data Subject to obtain from COLNE, at any time and without restriction, information about the existence of data concerning him/her, must be guaranteed in the processing.

- **Principle of restricted access and circulation:** The Processing is subject to the limits derived from the nature of the personal data, the provisions of this law and the Constitution. In this sense, the Processing may only be carried out by persons authorized by the Data Subject and/or by the persons provided for in this law.

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 the Holders or third parties authorized in accordance with this law.

- **Principle of security:** The information subject to treatment by COLNE will be handled with the technical, human, and administrative measures within its reach to provide security to the records, trying to avoid their adulteration, loss, consultation, use or unauthorized or fraudulent access.

- **Confidentiality principle:** All persons involved in the processing of personal data undertake to preserve and maintain the confidentiality of the information, maintaining this obligation even after the end of their relationship with any of the tasks involved in the processing, and may only provide or communicate personal data when it corresponds to the development of the activities authorized by law.

- **Principle of collection limitation:** COLNE will only collect personal data that are strictly necessary for the fulfillment of the purposes of the processing, so that the

recording and disclosure of data that are not closely related to the purpose of the processing is prohibited. Consequently, every reasonable effort must be made to limit the processing of personal data to the minimum necessary. In other words, the data must be: (i) adequate, (ii) relevant, and (iii) in accordance with the purposes for which they were intended.

- **Principle of temporality:** Personal data will be retained only for the time necessary and reasonable to fulfill the purpose of the processing and the legal requirements or instructions of the supervisory and control authorities or other competent authorities. The data will be kept when this is necessary for the fulfillment of a legal or contractual obligation. To determine the end of the processing, the rules applicable to each purpose and the administrative, accounting, fiscal, legal, and historical aspects of the information will be considered. Once the purpose or purposes have been fulfilled, the data will be deleted.
- **Non-discrimination principle:** It is forbidden to perform any act of discrimination based on the information collected in the databases or files.
- **Principle of reparation:** It is an obligation to compensate the damages caused by possible failures in the processing of personal data.

6. TREATMENT POLICY APPLICATION

This policy is applicable in all processes and procedures developed within the framework of COLNE's corporate purpose, the organization collects, stores, uses, handles, transfers, transmits and deletes personal data for the following purposes:

6.1. REGARDING COLNE'S NATURE AND MANAGEMENT:

Personal data will be processed to develop its main corporate purpose, which is to promote research and integration of Colombian researchers in the field of Neurosciences, among themselves and with the international community. For such purpose, it may carry out all those activities that are necessary to comply with its corporate purpose and objectives.

6.2. FINANCIAL MANAGEMENT

Personal data will be processed for all types of collection activities, collection, queries, verifications, control and enabling means of payment.

6.3. SUPPLIER AND CONTRACTOR MANAGEMENT

The processing of personal data will be carried out to advance the entire process of purchasing goods and services.

6.4. CUSTOMER CARE AND SERVICE

Personal data of members and visitors will be processed to evaluate the quality of services or activities through satisfaction surveys or any other means. The processing of personal data will be carried out to develop all kinds of commercial campaigns or in execution of the corporate purpose.

COLNE undertakes not to process personal data for purposes other than those described in this policy, without obtaining the express authorization of the Holder.

7. HOLDER

For the purposes of this policy, a Data Subject shall be understood as any person registered in COLNE's databases:

- Member
- Provider
- Partner
- Intern
- Volunteer

In the case of minors, their legal representatives will have the power to authorize or not the processing of their personal data.

8. RIGHTS OF THE OWNERS OF THE INFORMATION. -

All persons obliged to comply with these policies must respect and guarantee the following rights of the Data Subjects:

- To know, update and rectify the personal data before COLNE.

For this purpose, it is necessary to previously establish the identification of the person to prevent unauthorized third parties from accessing the information of the data subject.

- Get a copy of the authorization.
- To be informed about the use that COLNE has given to the personal data of the Holder.
- To process inquiries and complaints following the guidelines established by law and in this policy.
- Access to the request for revocation and/or deletion of the authorization of personal data when the Superintendence of Industry and Commerce has determined that the treatment by COLNE has incurred in conduct contrary to Law 1581 of 2012 or the Constitution.
- Access free of charge to their personal data. The information requested by the Data Subject may be provided by any means, including electronic means, as required by the Data Subject.

The information must be easy to read, without technical barriers that prevent its access and must correspond in its entirety to the information contained in the database.

9. RIGHTS OF THE OWNERS OF THE INFORMATION. -

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

- By the Holder, who must prove his/her identity sufficiently by the different means made available by COLNE.
- By their successors in title, who must prove their status as such.
- By the representative and/or attorney-in-fact of the Holder, upon accreditation of representation or power of attorney..
- By stipulation in favor of or for another.

- The rights of children or adolescents may be carried out by persons who are authorized to represent them.

10. CHILDREN AND ADOLESCENTS' RIGHTS.

The processing shall ensure respect for the prevailing rights of children and adolescents.

The processing of personal data of children and adolescents is prohibited, except for data of a public nature.

It is the task of the State and educational entities of all kinds to provide information and train legal representatives and guardians on the possible risks faced by children and adolescents regarding the improper processing of their personal data, and to provide knowledge about the responsible and safe use by children and adolescents of their personal data, their right to privacy and protection of their personal information and that of others.

11. OBLIGATIONS OF COLNE AS DATA CONTROLLER AND/OR PERSON IN CHARGE OF THE PROCESSING OF PERSONAL DATA.

The Chair of the Colegio Colombiano de Neurociencias COLNE, through the designated person, will oversee the processing of personal data; this person will be provided with personal information of the Data Controllers that are stored in a database. Likewise, he/she shall monitor and update the purposes for the Processing of personal data in the Organization.

The designated officer when acting as responsible or in charge of the processing of personal data shall comply with the following duties:

- To guarantee the Data Subject, at all times, the full and effective exercise of the right of habeas data.
- Request and keep a copy of the always authorization granted by the Holder.
- Inform the Data Subject about the purpose of the collection and the rights he/she is entitled to by virtue of the authorization granted.

- Keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- Ensure that the information provided to the data processor is truthful, complete, accurate, up-to-date, verifiable, and understandable.
- Update the information, communicating in a timely manner to the data processor, all developments regarding the data previously provided and take other necessary measures to ensure that the information provided to it is kept up to date.
- Rectify the information when it is incorrect and communicate the pertinent to the person in charge of the treatment.
- To provide to the Data Processor only data whose processing is previously authorized.
- To always require the Data Processor to respect the security and privacy conditions of the Data Subject's information.
- Process inquiries and claims.
- Inform the Data Processor when certain information is under discussion by the Data Subject, once the claim has been filed and the respective process has not been completed.
- Inform the Data Subject upon request about the use given to his or her data.
- Inform the data protection authority when there are violations to the security codes and there are risks in the administration of the information of the Data Holders.
- Fulfill the instructions and requirements given by the Superintendence of Industry and Commerce.

12. HABEAS DATA RIGHT

This policy takes into account the definition of Article 15 of the Political Constitution, according to which Habeas Data is the right of all persons to know,

update and rectify the information that has been collected about them in databases or files, both from public and private entities.

13. TRATAMIENTO DE DATOS SENSIBLES. -

Data classified as sensitive may be used and processed when:

- The Data Subject has given his/her explicit authorization to such processing, except in those cases where the law does not require the granting of such authorization.
- The Processing is necessary to safeguard the vital interest of the Data Subject and he/she is physically or legally incapacitated. In these events, the legal representatives must grant their authorization.
- The Processing has a historical, statistical, or scientific purpose. In this event, the measures leading to the suppression of the identity of the Data Controllers must be adopted.
- The processing refers to data that are necessary for the recognition, exercise or defense of a right in a judicial proceeding.

14. HOLDER'S AUTHORIZATION. -

The collection, storage, use and circulation of personal data by COLNE requires the free, prior, express and informed consent of the Data Subject.

Notwithstanding the exceptions provided by law, the processing requires the prior, express, and informed consent of the Data Subject, which must be obtained by any means that may be subject to consultation and subsequent verification.

When it comes to the collection of sensitive data, COLNE must comply with the following requirements:

- The authorization must be explicit.
- The Data Subject should be informed that he/she is not obliged to authorize the processing of such information.

- The Data Controller must be informed explicitly and in advance which of the data to be processed are sensitive and the purpose of the processing.

15. CASES IN WHICH AUTHORIZATION IS NOT REQUIRED. -

The authorization of the Holder shall not be necessary in the case of:

- Information required by a public or administrative entity in the exercise of its legal functions or by court order.
- Public data.
- Treatment of information authorized by law for historical, scientific, or statistical purposes.
- Data related to the Civil Registry of Persons.

16. AUTHORIZATION TAKING. -

The authorization may be recorded in a physical or electronic document, data message, websites, in any other format that allows to guarantee its subsequent consultation, or by means of a suitable technical or technological mechanism, which allows to express or obtain the consent via click or double click, by means of which it can be unequivocally concluded that, in the absence of a conduct of the Data Subject, the data would never have been captured and stored in the database. The authorization will be generated by COLNE and will be made available to the Data Subject in advance and prior to the processing of his/her personal data.

17. PROOF OF AUTHORIZATION. -

COLNE will use the mechanisms currently in place, and will implement and adopt the necessary actions to keep records or suitable technical or technological mechanisms of when and how it obtained authorization from the Data Controllers for the processing of personal data. In order to comply with the above, physical files or electronic repositories may be established directly or through third parties hired for such purpose.

18. OBJETO DE LA AUTORIZACIÓN.-

The information provided by the Holder of the data will have the purpose of enabling COLNE to:

- Consult, verify, and/or corroborate the payment capacity, background and/or other qualities or variables, with the objective of determining the viability of the beginning or continuation of the relationship or linkage.
- To achieve an efficient communication related to our services and other activities related to COLNE's corporate purpose.
- To inform about new services and/or activities.
- To carry out promotional and/or marketing activities.
- To carry out epidemiological, market and other studies required within the framework of its activities.
- To comply with obligations contracted by donors, members, beneficiaries, suppliers, and other persons directly or indirectly linked to COLNE.
- Inform about changes in COLNE's services.
- Evaluate the quality of service.
- Conduct internal studies on the services and products offered.

19. OBLIGATIONS OF COLNE IN RELATION TO THE PROCESSING OF DATA. -

COLNE will keep in mind, always, that personal data are the property of the persons to whom they refer and that only they can decide on them. In this sense, it will use them only for those purposes for which it is duly empowered and respecting in any case the current regulations on personal data protection.

20. RIGHT OF ACCESS GUARANTEES. -

COLNE will grant the right of access when, prior accreditation of the identity of the Holder, legitimacy, or personality of his representative, making available to him, without any cost or expense, in a detailed and itemized manner, the respective personal data.

21. INQUIRIES. -

The Data Subjects or their successors in title may consult the personal information of the Data Subject contained in any database. COLNE will provide them with all the information contained in the individual record or that is linked to the identification of the Holder.

The consultation shall be made by the means enabled by COLNE, of which proof of the terms and conditions under which it was made shall be kept.

The consultation will be answered in a maximum term of fifteen (15) working days counted from the date of receipt of the consultation. When it is not possible to attend the consultation within such term, the interested party shall be informed, stating the reasons for the delay and indicating the date on which the consultation will be attended, which in no case may exceed ten (10) working days following the expiration of the first term.

COLNE establishes the following channels of communication with the Holders:

Website: www.colne.org.co

E-mail: presidencia@colne.org.co

For the Holder to make the consultation, COLNE guarantees:

- Enable electronic methods of communication or other appropriate means of contact.

22. CLAIMS.-

The Data Subject or his assignees who consider that the information contained in a database should be corrected, updated, or deleted, or when they notice the alleged breach of any of the duties contained in the law, may file a claim with COLNE which will be processed under the following rules:

- The claim shall be formulated by means of a request addressed to the Colombian College of Neurosciences COLNE, with the identification of the Holder,

the description of the facts that give rise to the claim, the address or place of notification, and accompanying the documents to be asserted.

- If the claim is incomplete, the interested party will be required within five (5) days after receipt of the claim to correct the faults. After two (2) months from the date of the requirement, without the applicant submitting the required information, it will be understood that the claim has been abandoned.
- If the person receiving the claim is not competent to resolve it, he/she will transfer it to the appropriate person within a maximum term of two (2) business days and will inform the interested party of the situation.
- Once the complete claim has been received, a legend will be included in the database stating "claim in process" and the reason for it, within a term not exceeding two (2) business days.

Said legend will be maintained until the claim is decided.

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

Inquiries and claims made to COLNE should be sent to the e-mail presidencia@colne.org.co.

Regarding the deletion of data, since this implies the total or partial elimination of personal information as requested by the Data Subject in the records, files, databases or processing carried out by COLNE, this right is not absolute and the data controller may deny the exercise of this right, among other cases, when:

- The Data Subject has a legal or contractual duty to remain in the database.
- The deletion of data hinders judicial or administrative proceedings related to tax obligations, the investigation and prosecution of crimes or the updating of administrative sanctions.

- The data is necessary to protect the legally protected interests of the Data Subject; to carry out an action in the public interest, or to comply with an obligation legally acquired by the Data Subject.

23. REVOCATION OF AUTHORIZATION. -

Personal data subjects may revoke their consent to the processing of their personal data at any time, if it is not prevented by a legal or contractual provision.

For this purpose, COLNE shall establish simple and free mechanisms that allow the Data Subject to revoke his/her consent, at least by the same means by which it was granted.

It should be considered that there are two (2) modalities in which the revocation of consent may occur. The first can be for the totality of the consented purposes, i.e., COLNE must stop processing the data of the Data Subject; the second can occur for specific types of processing, such as for advertising or market research purposes. With the second modality, i.e., the partial revocation of consent, other purposes of the processing that the controller, in accordance with the authorization granted, may carry out and with which the Data Subject agrees, remain unaffected.

24. USE AND INTERNATIONAL TRANSFER OF PERSONAL DATA AND PERSONAL INFORMATION BY COLNE. -

Depending on the nature of the permanent or occasional relationships that any person Holder of personal data may have with COLNE, the totality of their information may be transferred abroad, with the acceptance of this policy expressly authorizes the transfer of personal information.

Notwithstanding the obligation to observe and maintain the confidentiality of the information, COLNE will take the necessary measures to ensure that third parties are aware of and agree to comply with this Policy, with the understanding that the personal information they receive may only be used for matters directly related to the relationship with COLNE and only for the duration of the relationship and may not be used or intended for any other purpose or purpose. COLNE may also share personal information with governmental or other public authorities

(including, but not limited to, judicial or administrative authorities, tax authorities and criminal, civil, administrative, disciplinary, and fiscal investigative bodies), and third parties involved in civil legal proceedings and their accountants, auditors, attorneys and other advisors and representatives, because it is necessary or appropriate:

(a) to comply with applicable laws, including laws other than those of your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, and to respond to requests from public and government authorities other than those of your country of residence; (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) to obtain any applicable indemnification or limit any damages that may be incurred by us.

25. PERSONAL DATA PROTECTION FUNCTION WITHIN COLNE. -

COLNE appoints the Chairperson, to fulfill the function of personal data protection and will process the requests of the Holders, for the exercise of the rights of access, consultation, rectification, updating, suppression and revocation referred to in the current regulations on personal data protection.

26. VALIDITY. -

This Policy is effective as of February 20, 2021 and shall be valid as long as COLNE carries out its corporate purpose, or until the law provides otherwise.

This policy may be modified at any time and unilaterally by COLNE, which must disclose such changes in a timely manner.

Signed in Bogota on the 20th day of February, 2022.

(Original signed)

Zulma Janeth Dueñas Gómez
Legal Representative
Colegio Colombiano de Neurociencias COLNE