



INFORMATION PROCESSING POLICY

In compliance with the provisions of Law 1581 of 2012 *“to establish general provisions for the protection of personal information”* and Regulatory Decree 1377 of 2013 *“to partially regulate Law 1581 of 2012,”* Organización Terpel S.A. (herein Terpel) is publishing this policy containing guidelines that apply to processing the personal data of its customers, suppliers, and users of its different marketing plans and programs.

This policy is an update of the personal data protection policy published by Terpel in its internal policies and documents webpage called "Aris" on April 15, 2013.

1. Data Controller for Personal Information:

the Data Controller is Terpel, (herein Terpel), a company incorporated pursuant to public deed No. 6038 on November 21, 2001, filed with Notary Public 6 of the Bogotá Circuit, domiciled in the city of Bogotá, and with its address for notifications at Carrera 7 No. 75 - 51 in Bogotá, judicial notification email at infoterpel@terpel.com and telephone number: 317-5353.

2. Processing of Personal Information collected by the Data Controller:

For the processing, collection, storage, use, circulation, and deletion, among other actions, of the personal information of natural persons by Terpel, prior and informed consent must be obtained from the Data Subject (natural person whose personal information is the object of processing) or the person authorized to give consent in accordance with article 20 of Decree 1377 of 2013. This consent may be granted in writing, or orally, or through unambiguous conduct on the part of the data subject that permits the reasonable conclusion that the data subject has granted consent and that can be consulted at a later date by the Data Subject or the person legally acting in his stead to exercise the rights of the Data Subject in accordance with the law.

For the effects of this policy, the terms indicated below will have the following meanings, which were taken from Law 1581 of 2012 and Decree 1377 of 2013:

- "a) **Consent:** Prior, express, and informed consent on the part of the Data Subject to carry out personal information processing;
 - b) **Privacy notice:** Verbal or written communication generated by the data controller and addressed to the Data Subject for processing his or her personal data, to inform the Data Subject regarding the existence of data processing policies that will be applicable to him, the manner for accessing them, and the purposes of the processing that will be done of the personal data;
 - c) **Database:** An organized collection of personal information that will be processed;
 - d) **Personal data:** Any information relating to or that can be associated with one or several natural persons identified or identifiable;
- Certain personal data forms a part of what is called “public data,” which includes the information included in Civil Registries. Terpel, in order to comply with its legal and contractual obligations, must process a large amount of personal data, including that of its employees, to whom the provisions are applicable that are established in Law 1581 of 2012, and its Regulatory Decree 1377 of 2012, and in consequence in this policy.
- e) **Sensitive data:** Sensitive data refers to data that has an impact on the privacy of the Data Subject and that, when used inappropriately, can generate discrimination. This includes data that reveals racial or ethnic origin, political orientation, religious or philosophical convictions, membership in trade unions, social organizations, or human rights organizations, or that promotes the interests of any political party, or that guarantee the rights and guarantees for opposition political parties, as well as data connected with health, sexual activity, and biometric data.
 - f) **Data Processor:** The natural or juridical person, public or private, that on his own or in association with others, processes the personal information for the Data Controller;
 - g) **Data Controller:** the natural or juridical person, public or private, that on his own or in association with others, makes decisions regarding the database and/or the data processing;
 - h) **Data Subject:** natural or juridical person whose personal data is the object of processing;
 - g) **Processing:** Any operation or group of operations with personal data, such as collection, storage, use, circulation, or deletion.
 - h) **Transfer:** Data transfer takes place when the Data Controller and/or Data Processor in charge of processing the personal information, located in Colombia, sends the personal information or data to a recipient, which in turn is a data controller and is located inside or outside of the country.
 - i) **Transmission:** Personal data processing that implies the communication of that information inside or outside of the territory of the

Republic of Colombia, when its purpose is processing by the Data Processor on behalf of the Data Controller.”

Terpel collects personal data in the following activities, notwithstanding there may be other activities where data is also collected:

1. Terpel Community Agreements
2. Data collection through the Customer Service Line
3. Supplier information handling
4. Managing accounts receivable information and customer information in the different business segments.
5. Database capture during promotions or special activities targeting customers in their different business segments.
6. Information capture using the webpage
7. Information capture using marketing programs.
8. Managing information from payroll and personnel selection processes.
9. Agreements with financial institutions or other types of institutions
10. Managing information from customer service.
11. Purchase of databases from institutions that manage large databases.
12. Contract execution
13. Fairs and conventions
14. Shareholder engagement office
15. Information capture for market studies

During the execution of these activities or others where personal data is collected, the report, dissemination, use, consultation, elimination, or deletion, resending, transfer, transmission, administration, access, conservation, storage, archiving, analysis, copying, processing and the inclusion of said personal data in its databases in its server or those of a third-party either in the country or outside of it, Terpel must abide by the terms of Law 1581 of 2012 and Decree 1377 of 2013 when processing the personal data of third parties, for which purpose it will obtain ahead of time consent from the Data Subject. Prior to sharing personal data with third parties, partners, contractors, or suppliers, Terpel must ensure that consent has been received ahead of time from the Data Subject in order to use the information in this manner. In accordance with the above, it may only share personal data with third parties when it has proper consent from the data subject.

The uses Terpel may make of the personal data it collects in execution of its corporate purpose include but are not limited to:

1. Attending to requirements from authorities.
2. Internal handling in order to register customers in the different business segments.
3. Analysis of credit risk, statistical analysis or a security analysis of customers or users.
4. Execution and/or compliance with its contracts with third parties, either for the purchase or sale of liquid fuels or natural gas for vehicles, financing for the conversion of vehicles or contracts of any other nature covered by its corporate purpose.
5. Sending correspondence or emails, or making telephone contact with customers, suppliers and users of the different programs in development of activities related to advertising, promotions, marketing (mainly for loyalty and customer relations plans), sales or marketing studies focused on the distribution of liquid fuel or natural gas for vehicles or the provision of complementary services.
6. To share information with commercial partners in order to offer services with benefits for our customers.
7. To share or send information to third parties with whom partnerships or contracts are entered into for commercial ends related to the execution of the activities encompassed in its corporate purpose.
8. Database maintenance done by itself or through a third party.
9. Obtaining information from stakeholders for the companies public relations (contact information for journalists and authorities)
10. Attention to shareholder requests and procedures.
11. Personnel selection, contract administration, labor relation management, and compliance with obligations derived from the same, granting employee benefits, on its own or through third parties, and permitting employee access to the company's IT resources.
12. Sending databases to lubricant distributors regarding points of sale or lubricant dealers.
13. Transferring and transmitting data to third parties with whom it has partnerships related to its corporate purpose, contracts studies, or asks them to process data.

14. Reports and queries to credit rating agencies legally constituted in Colombia, mainly Datacredito and Sifin.
15. Analysis of prospects with commercial ends, either for customers or consumers.
16. Collections or sales management.
17. Sharing it with third-party partners, suppliers, and companies in the same business group located inside or outside of the country, in particular for activities related to know your client, sales or advertising outreaches, sales management, and collections.

3. Time in effect of the databases:

Terpel's databases will have a time in effect equal to the period of time in which the purpose or purposes remain for the processing of each database or the time period required in accordance with accounting, commercial, tax, or labor regulations, or any regulations applicable according to the subject, and in accordance with administrative, accounting, tax, legal, and historical aspects of the information stored in the databases, with a maximum term of fifty years. In consequence of the above, and when it is not counter to complying with a current regulation, once the purpose or purposes of the data processing have been met, Terpel shall proceed to delete the data. Notwithstanding the above, personal data will be stored when required in order to comply with a legal or contractual obligation.

4. Rights of the Data Subjects:

In application of the terms of the law, Terpel assumes the role of the Data Controller and Data Processor in all cases or in any of them, depending on each one, when it collects, stores, uses, circulates, deletes, transfers, or transmits the data of data subjects as part of any of its activities as a company, either on its own or through a third party.

The rights according to law of the Data Subject are the following:

- "a) To know what data has been collected, to update, and to rectify their personal data with the Data Controllers or Data Processors. This right may be exercised, among other aspects, for partial, inaccurate, incomplete, divided, or misleading data, or data whose processing is expressly prohibited or has not been authorized;
- b) To request proof of the consent granted to the Data Controller, except when expressly exempted as a requirement for processing in accordance with article 10 of Law 1581 of 2012;
- c) To be informed by the Data Controller or the Data Processor, based on a request, with respect to the use that has been made of their personal data;
- d) To present complaints to the Superintendent of Industry and Commerce regarding violations of this law and other regulations that modify, add to, or complement it;
- e) To revoke consent and/or request the deletion of data when the processing does not respect constitutional and legal principles, rights, and guarantees. Revocation and/or deletion shall proceed when the Superintendent of Industry and Commerce has determined that the Data Controller or Data Processor has incurred in conduct in the processing counter to this law and to the Constitution;
- f) To have free access to their personal data that has been processed."

5. Processing sensitive data and the personal data of children and teenagers:

Processing sensitive data and data belonging to children and teenagers is prohibited. Despite that, Terpel processes data of this type in the following cases only and exclusively with express prior consent of the Data Subject:

- (i) Sensitive data: Terpel processes sensitive data authorized by article 6 of Law 1581 of 2012 collected by its employees and with the sole and exclusive purpose of managing labor relations with the company and to comply with legal, contractual and/or union obligations derived from the same, current and/or already concluded. This notwithstanding consent that data subjects may grant under the terms of Article 6 of Decree 1377 of 2013.

That data is managed in databases in Terpel's Human Resources area. For processing sensitive data, Terpel shall:

- a) Inform the Data Subject that because the information is sensitive, the data subject is not required to consent to its processing.
- b) Inform the Data Subject explicitly and in advance, in addition to the general requirements of consent for the collection of any type of personal information, which information that will be processed is sensitive and the purpose of the processing, in addition to obtaining express consent.
- c) No activity may be conditioned on providing sensitive personal data.

(ii) Data of children and teenagers: Terpel collects data of this type in some special programs targeting its customers, such as sales conventions or others where the company organizes a trip for its customers, notwithstanding the existence of other programs of a similar nature. This data is collected with the sole and exclusive purpose of having the information necessary for procedures for tickets and tour programs, among others, with the entities with which Terpel outsources this type of event.

Processing this type of data will be permitted as long as:

- a) It is in accordance with and respects the best interests of children and teenagers
- b) It ensures respect for their basic rights.

Having met these requirements, Terpel must obtain consent from the legal representative of the child or teenager for the collection, storage, transfer to third parties and use of the data for the purposes indicated above, with the exercise of the right to be heard of the minor, and qualifying his or her opinion based on the maturity, independence, and capacity to understand the matter.

6. Attending to Queries, Requests, and Grievances:

Terpel must permit the Data Subject to have free access to his or her information when so required for making queries and also to guarantee the right of the Data Subject to file grievances and requests for correction, updating, or deletion of personal data.

Terpel may receive the above indicated requests regarding personal data from:

- a) The Data Subject
- b) The successors, legal representatives, or agents of the Data Subjects;
- c) Public or administrative entities in exercise of their legal functions, or
- d) By a court order or order from third parties authorized by the Data Subject or by law.
- e) Based on a stipulation in favor of or for another.

Terpel will receive queries, requests, and grievances in writing at its address for legal notification at Carrera 7 No. 75-51 in Bogotá, verbally using its customer service line (018000518555 or #462 from Comcel, Movistar and Tigo), and on its web page www.terpel.com. In this latter case, Terpel has a link on the webpage called "Contact us" that allows the user to access the Petitions and Grievances link, and download the Form for Receiving Petitions, Complaints, and Grievances. The user can print the form and send it to Carrera 7 No. 75 - 51 floor 10 in the city of Bogotá, or to the following e-mail: servicioalcliente@terpel.com

Queries regarding personal data will be resolved by Terpel in a maximum time period of ten (10) business days from the date the query is received. When it is not possible to respond to the query within said time period, the Data Subject or the successors will be informed, citing the reasons for the delay and indicating the date on which the query will be answered, which in no case may be longer than five (5) business days following the expiration of the first term. If the query takes place using the customer service line, the Data Subject must be informed in writing in order to have evidence of it.

During the receipt of queries, petitions, and grievances, the means of evidence will be Terpel's Form for the Receipt of Petitions, Complaints, and Grievances or the written document presented by the Data Subject, or his successors, who presents the request.

Processing these queries and grievances will be free of charge, except in those cases indicated expressly by law.

A request to delete information or to revoke consent will not be admissible when the Data Subject has a legal or contractual duty to remain in Terpel's databases.

The area responsible at Terpel for protecting personal data and for processing requests, queries, and grievances related to Habeas Data will be Customer Service at the Office of the Vice President of Operations and Logistics.

7. Receipt of Petitions, Complaints, Grievances, and Queries:

a) Petitions, complaints, and grievances received physically or via email: The Form for the Receipt of Petitions, Complaints and Grievances will be adopted and implemented, which can be downloaded from the Terpel webpage. The form must be sent using physical mail to Carrera 7 No. 75 - 51 floor 10 in the city of Bogotá, or to the following e-mail: servicioalcliente@terpel.com

The Data subject or other people permitted by law may, however, make queries, requests, or grievances using another form or using a written document sent to the company, sending it using physical mail to Carrera 7 No. 75 - 51 floor 10 in the city of Bogotá, or to the following e-mail: servicioalcliente@terpel.com.

Response times will be ten (10) business days for queries and fifteen (15) business days for grievances.

b) Receipt of queries, petitions, and grievances through the Call Center: Once an operator hears a user's request, he must request authorization to receive the user's personal data, but first giving him the right to consult the Privacy Notification published on Terpel's web page at www.terpel.com.

The queries, petitions, and claims received via this means will be processed by the company and an answer will be sent in writing to the notification address provided by the Data Subject.

Response times will be ten (10) business days for queries and fifteen (15) business days for grievances.

c) Request to know what data has been collected, to update, and to rectify personal data: This right may be exercised for partial, inaccurate, incomplete, divided, or misleading data, or data whose processing is expressly prohibited or has not been authorized by the Data Subject.

The request made by the Data Subject in this respect must be sent using physical mail to Carrera 7 No. 75 - 51 floor 10 in the city of Bogotá, or to the following e-mail: servicioalcliente@terpel.com.

Response times will be ten (10) business days for queries and fifteen (15) business days for grievances.

d) Request to revoke consent and/or request the deletion of data: Such actions will proceed at the request of the Data Subject (except in cases where the law expressly indicates it is not admissible) or when the Superintendent of Industry and Commerce so determines, based on verification of noncompliance by Terpel with constitutional and legal principles, rights, and guarantees.

Response times will be ten (10) business days for queries and fifteen (15) business days for grievances.

e) Grievances based on inaccuracy or failure to comply with obligations: The Data Subject or successors that believe that the information contained in the database should be corrected, updated, or deleted, or when they believe there has been a failure to comply with any of the duties contained in Law 1581 of 2012, may present a grievance to Terpel via physical mail to Carrera 7 No. 75 - 51 floor 10 in the city of Bogotá, or to the following e-mail: servicioalcliente@terpel.com. That grievance will be processed under the following rules:

1. The grievance will be presented by means of the request sent to TERPEL, with the identification of the Data Subject, a description of the events giving rise to the grievance, the address, and any documents attached to be considered as part of the process. If the grievance is incomplete, the petitioner will be requested to remedy any deficiencies within the five (5) days following receipt of the grievance. Two (2) months after the date the missing information is requested, if the petitioner has not presented the required information, it will be understood that he has withdrawn the grievance. If the party receiving the grievance does not have jurisdiction to resolve it, it will be transferred to the corresponding person within a maximum term of two (2) business days and the petitioner will be informed of the situation.

2. Once the complete grievance has been received, a note will be included in the database that states "*grievance in process*" and the reason for it, within a time period no longer than two (2) business days. That note must remain until the grievance has been resolved.

3. The maximum term for responding to the grievance will be fifteen (15) business days from the day following the date of its receipt. When it is not possible to respond to the grievance within said time period, the petitioner will be informed of the reasons for the delay and the date will be indicated on which the grievance will be answered, which in no case may be longer than eight (8) business days following the expiration of the first term.

When there is a grievance, Terpel must inform the third parties with whom the personal data has been shared that the data is the object of a grievance, that said grievance exists, and that it is in process.

In addition to the above, a note must be inserted in the database "information under legal discussion" once notification has been received from the competent authority regarding judicial proceedings related to the personal data;

For as long as the information is under dispute by the Data Subject before the authority, Terpel may not circulate it with third-parties.

8. Privacy Committee: In order to comply with Law 1581F 2012 and its Regulatory Decree 1377 of 2013, the Privacy Committee is created. This committee is made up of the Director of Organizational Management, the Director of Information Security and Infrastructure, the Organizational Control Manager, and the Privacy Officer (Manager of Industry Legal Affairs). Its functions are the following:

1. To provide mechanisms so that processes and controls are designed to watch over the protection of personal data in order to safeguard the request for consent for the processing of personal data, compliance with the data processing policy, compliance with the policies of each area regarding habeas data, and the functioning of the methods for query and response relative to requests associated with personal data, including deletion.
2. To resolve questions from the IT Incident Response Group and from the different areas of the company regarding personal data processing.
3. To request modifications to the internal processes of the different areas of the company in order to keep them aligned with habeas data regulations and Terpel's Data Processing Policy.
4. To study the requests for consent from the different areas of the company in order to share personal data collected by Terpel with third parties.
5. To define education and training programs, along with their periodicity, that are required by Terpel personnel and contractors.
6. To review the results of internal and external audits done of personal data processing and establish action plans based on the results.

The Privacy Committee will meet every six months or each time required. The person in charge of issuing a summons to the meetings is the Privacy Officer.

9. Updating this Policy:

Terpel reserves the right to update this policy when so required in accordance with its internal procedures and the exercise of its activities. When it is updated, this should be reported using suitable means to the Data Subjects of the data contained in its databases, prior to implementation.

10. Date this Policy enters into Effect:

This policy is published on August 2, 2013, and is an update of the personal data protection policy published by Terpel in its internal policies and documents webpage called "Aris" on April 15, 2013.