



POLICY FOR THE PROCESSING OF PERSONAL INFORMATION OF THE COLOMBIAN BOOK CHAMBER

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1. INTRODUCTION

The **COLOMBIAN BOOK CHAMBER** guarantees the protection of the rights of Habeas Data, privacy, good name and image, and for that purpose all actions will always be governed by principles of good faith, legality, informational self-determination, freedom and transparency.

In the exercise of its functions, during occasional or permanent activities, the **COLOMBIAN BOOK CHAMBER** may act as **RESPONSIBLE FOR THE PROCESSING** of personal data, for this reason and in order to comply with the law, the Processing of Personal Information Policy is issued, which seeks to make known to stakeholders the principles and guidelines that guide the processing of personal data within the organization, thus strengthening confidence with the holders when they deliver their personal data to the **COLOMBIAN BOOK CHAMBER** for its subsequent processing.



This Policy will be applicable to all personal data registered in any database that makes them susceptible to processing by the **COLOMBIAN BOOK CHAMBER**, located in the city of Bogotá, at calle 35 No 5A-05, with telephone (601) 7441231 and email habeasdata@camlibro.com.co

2. DEFINITIONS

In accordance with current legislation, the following definitions are established:

Authorization: Prior, express and informed consent of the owner to carry out the processing of personal data.

Database: Organized set of personal data that is the object of processing.

Personal data: Any information linked to or associated with one or several natural persons identified or may be identifiable.

Sensitive personal data: Personal data that by their nature can affect the privacy of the owner or whose improper use can generate discrimination.

Data processor: Natural or legal person, public or private, which alone or jointly with others, performs the processing of personal data on behalf of the DATA CONTROLLER

Habeas Data: Fundamental right contained in Article 15 of the Political Constitution, which guarantees every person the right to know, update and rectify personal information that has been collected in archives and data banks of a public or private nature.



Data controller: Natural or legal person, public or private, which alone or jointly with others, decides on the database and/or the processing of personal data.

Holder: Natural person whose personal data are subject to processing.

Processing: Any operation or set of operations on personal data, such as collection, storage, use, circulation or deletion.

3. PRINCIPLES APPLICABLE TO SUBJECT MATTER

The **COLOMBIAN BOOK CHAMBER** will apply the following principles, which constitute the rules to follow in the collection, handling, use, processing, storage and exchange of personal data:

Principle of legality: The use, capture, collection and processing of personal data, the current and applicable provisions that govern the processing of personal data and other related fundamental rights related to it.

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

Principle of purpose: The use, capture, collection and processing of personal data to which the **COLOMBIAN BOOK CHAMBER** has access, gathers and collects, will be subordinated and serve a legitimate purpose, which will be informed to the respective holder of the personal data.

Principle of veracity or quality: The information subject to use, capture, collection and processing of personal data must be truthful, complete, accurate, updated, verifiable and

understandable. The processing of partial, incomplete, fractioned or misleading personal data is prohibited.

Principle of transparency: In the use, capture, collection and processing of personal data, should be safeguarded the right of the holder to obtain from the **COLOMBIAN BOOK CHAMBER**, at any time and without restrictions, information about the existence of any type of information or personal data that is of their interest or ownership.

Principle of access and restricted circulation: Personal data, except for public information, cannot be available on the Internet or other means of dissemination or mass communication, unless the access is technically controllable to provide restricted knowledge only to authorized owners or third parties.

Principle of security: The personal data and information used, captured, collected and subject to processing by the **COLOMBIAN BOOK CHAMBER**, will be subject to protection through the adoption of technological protection measures, protocols, and all kinds of administrative, human and technical measures that are necessary to grant security to the records avoiding their adulteration, modification, loss, consultation, and in general against any fraudulent use or access.

Principle of confidentiality: Each and every person who administers, manages, updates or has access to personal information of any kind that is in databases manipulated by the **COLOMBIAN BOOK CHAMBER** commits to preserve and keep strictly confidential and not disclose to third parties, information of personal, commercial, accounting, technical kind or any other sort of information provided in the execution and exercise of their functions. All persons who administer these databases must subscribe an additional document to ensure this commitment. This obligation persists and is maintained even after the end of its relationship with any of the functions included in the processing.

4. DUTIES OF THE COLOMBIAN BOOK CHAMBER AS RESPONSIBLE FOR THE PROCESSING OF PERSONAL DATA

When the **COLOMBIAN BOOK CHAMBER** acts as **RESPONSIBLE** for the processing of personal data, it will comply with the following duties:

- a. Guarantee to the holder, at all times, the full and effective exercise of the right of *habeas data*.
- b. Request and keep, under the conditions established by law, a copy of the respective authorization granted by the owner.
- c. Properly inform the owner about the purpose of the collection and the rights that assist him by virtue of the authorization granted.
- d. Keep the information under the necessary security conditions to prevent its adulteration, loss, consultation, use or unauthorized or fraudulent access.
- e. Ensure that the information provided to the person in charge of processing is true, complete, accurate, up-to-date, verifiable and understandable.
- f. Update the information, communicating in a timely manner to the person in charge of the processing, all the news regarding the personal data previously provided and adopt other necessary measures so that the information provided is kept up-to-date.
- g. Rectify information when it is incorrect and communicate relevant information to the person in charge of the processing.
- h. Provide the person in charge of processing, as the case may be, only personal data whose processing is previously authorized in accordance with the conditions established by law.
- i. Demand that the person in charge of the processing, at all times, respects the conditions of security and privacy of the holder's information.
- j. Process inquiries and claims made in the terms established by law.
- k. Adopt an internal manual of policies and procedures to ensure adequate compliance with the law and, in particular, to handle inquiries and complaints.

- l. Inform the Person in charge of the processing when certain information is under discussion by the holder, once the claim has been filed and the respective procedure has not been completed.
- m. Inform, upon the request of the holder, about the use given to their personal data.
- n. Inform the personal data protection authority when there are violations of security codes and there are risks in the management of the holder's personal information.
- o. Comply with the instructions and requirements issued by the Superintendence of Industry and Commerce.

5. POLICIES APPLICABLE TO THE PROCESSING OF PERSONAL DATA

5.1 Request for authorizations

Notwithstanding the exceptions provided by law, the processing of personal data requires the prior, express and informed authorization of the holder, which must be obtained by any means that may be subject to further consultation and verification.

The **COLOMBIAN BOOK CHAMBER** will collect the respective authorizations, which can be recorded in a physical or electronic document, as a data message, or in any other format that allows to guarantee its subsequent consultation, as well as through a suitable technical or technological mechanism, that allows to manifest or obtain consent via click or double click.

In the same sense, the authorizations may also be obtained through unequivocal conduct of the holder, from which it can be reasonably concluded, that authorization was granted, and that, without said conduct of the holder, the data would never have been captured and stored in the database.

To comply with the above, physical files or electronic repositories made directly or through third parties hired for that purpose may be established.

The authorization generated by the **COLOMBIAN BOOK CHAMBER** will be made available to the owner in advance and prior to the processing of their personal data.

The authorization of the holder will not be necessary in the case of:

- a. Information required by a public or administrative entity in the exercise of its legal functions or by court order.
- b. Data of public nature.
- c. Cases of medical or sanitary emergency.
- d. Processing of information authorized by law for historical, statistical or scientific purposes.
- e. Data related to the civil registry of people.

5.2 Processing and purposes to which personal data will be submitted

The **COLOMBIAN BOOK CHAMBER** takes into account that personal data are always owned by the people to whom they refer to and that only they can decide on them. In this regard, the **COLOMBIAN CHAMBER OF THE BOOK** makes use of them only for those purposes for which it is duly empowered and respecting the current regulations on the protection of personal data. In any case, and for those data that are not of public nature, they will only be revealed with the express authorization of the holder or when a competent authority requests it.

In particular, the purposes for which the data are used within the **COLOMBIAN BOOK CHAMBER** are:

5.2.1. Workers

The information of the workers, including those who participate in the selection process, will be processed with the purpose of managing the contractual relationship between the **COLOMBIAN BOOK CHAMBER** and the employee or collaborator, and particularly to:

- ✓ Comply with the obligations of the employer, determined by Colombian labor law or that have been issued by competent authorities.
- ✓ Implement the Occupational Health and Safety Management System (SG-SST).
- ✓ Issue labor certificates, and provide employment references to those who request them.
- ✓ Perform accounting records required by law.
- ✓ Contact relatives in cases of emergency.
- ✓ Personal data such as images will be used to ensure security within the facilities of the Colombian Chamber of Books.
- ✓ Perform internal and external communications, as well as promote healthy work environments.
- ✓ Others contained in the respective authorization or privacy notice.

In the case of workers, the personal information will be kept for a term of twenty (20) years as of the end of the employment relationship, or taking into account the legal or contractual circumstances that make it necessary to keep the information.

5.2.2. Providers

The information of providers that are natural persons will be treated with the purpose of managing the contractual relationship between the **COLOMBIAN BOOK CHAMBER** and the supplier, and particularly to:

- ✓ Verify the suitability and competence of the provider.
- ✓ Formalize registration and record in the Contractor organization.
- ✓ Manage development and communication during the business relationship.

- ✓ Evaluate the quality of the services of the **COLOMBIAN BOOK CHAMBER**.
- ✓ Facilitate the execution of the contracted corporate purpose.
- ✓ Request in case of clarifications or guarantees.
- ✓ Manage pre-contractual, contractual and post-contractual stages.
- ✓ Perform accounting records required by law.
- ✓ Others contained in the respective authorization or privacy notice.

In the case of providers, personal information will be kept for the time in which contracts are concluded between the **COLOMBIAN BOOK CHAMBER** and the provider, and additional time that the legal or contractual circumstances make necessary.

5.2.3. Affiliates

The information of the Affiliates will be treated with the purpose of managing the contractual relationship between the **COLOMBIAN BOOK CHAMBER** and its Affiliates, and particularly to:

- ✓ Allow the exercise of the duties and rights derived from the Affiliate status.
- ✓ Comply with the bylaws for the affiliation process and audits.
- ✓ Comply with the legal requirement to record minutes and assemblies.
- ✓ Establish an efficient communication related to the service provided by the Colombian Book Chamber.
- ✓ Send updated information on the services provided by the Colombian Book Chamber.
- ✓ Send information to users about events and activities that may be of interest to them and in general establish contact with affiliates.
- ✓ Issue certifications related to the relation of the owner of the data with the **Colombian Book Chamber**.
- ✓ To comply with the obligations contracted with our affiliates.
- ✓ Evaluate the quality of our services.
- ✓ Carry out portfolio collection procedures.

- ✓ Provide authorized information processing for historical, statistical or scientific purposes, in which personal data can be shared with stakeholders interested in the Book, Reading and Library Industry.
- ✓ Comply with others specifically established in the authorizations that are granted by the Affiliates.

In the case of affiliates, personal information will be kept for as long as it retains such quality in the **COLOMBIAN BOOK CHAMBER**, and the additional time that legal or contractual circumstances make necessary.

5.2.4. ISBN and ISMN users

The information of the Users, who are natural persons, will be processed with the purpose of managing the relationship between the **COLOMBIAN BOOK CHAMBER** and its users, particularly to:

- ✓ Allow the exercise of the duties and rights derived from the User status.
- ✓ Send information to users about events and activities that may be of interest to them and in general contact them.
- ✓ Issue certifications related to the relation of the holder of the data with the Colombian Book Chamber.
- ✓ Register and process applications for ISBN and ISMN.
- ✓ Send the contact, location and ISBN data assigned to the National Library of Colombia according to *article 2.8.1.10 of Decree 1080 of 2015* to facilitate compliance with the legal deposit.
- ✓ Send contact information and location to the International ISBN Agency based in London, which will be included in the Global Register of Publishers, in accordance with the contractual requirement that is maintained with the International Agency.

- ✓ Send contact and location information to the ISMN International Agency based in Germany, which will be included in the ISMN Directory, in accordance with the contractual requirement that is maintained with the International Agency.
- ✓ Send the database of the ISBN and metadata to the Regional Center for the Promotion of the Book in Latin America and the Caribbean - CERLALC according to the cooperation agreement, which will be included in the Integrated Catalog of Latin American Books.
- ✓ Process information authorized by law for historical, statistical or scientific purposes, in which personal data can be shared with stakeholders interested in the book, reading and library Industry.
- ✓ and in general, all those purposes that are necessary for the development of their relationship with the **COLOMBIAN BOOK CHAMBER**.

In the case of users, personal information will be permanently preserved under the terms of article 11 of Law 98 of 1993.

5.2.5. Visitors and Video Surveillance

The information of the visitors will be treated with the purpose of carrying out management activities and control of entry and exit of the physical facilities of the **COLOMBIAN BOOK CHAMBER**, and particularly for:

- ✓ Promote the security of the monitored spaces.
- ✓ Allow entry only to people who have authorization received by the person they visit.
- ✓ Share with third parties in case of emergency.
- ✓ Share with third parties in case a competent authority for carrying out police investigations or security reasons requires it.
- ✓ Others included in the respective authorization or privacy notice.

In the case of visitors who register in the form, it will be kept for 24 hours as of its collection. For video surveillance it will be kept for 30 days as of its collection, and the additional time that the legal or contractual circumstances make necessary.

5.3. Processing of data of children and adolescents

When the **COLOMBIAN BOOK CHAMBER** performs the processing of personal data of minors, it will ensure respect for the prevailing rights of minors, and request the respective authorizations to their representatives or guardians, in addition to adapting security measures necessary to ensure the confidentiality and reservation of personal data.

5.4. Processing of sensitive data

When the **COLOMBIAN BOOK CHAMBER** processes personal data of a sensitive nature, it undertakes to have security systems that guarantee its security, restricted circulation and confidentiality, as well as unauthorized use.

Personal data classified as sensitive may be used and processed when:

- a. The holder has given his explicit authorization to said processing, except in cases that by law is not required the granting of such authorization.
- b. The processing is necessary to safeguard the vital interest of the holder and they are physically or legally incapacitated. In these events, the legal representatives must grant their authorization.
- c. The processing is carried out in the course of legitimate activities and with due guarantees by a foundation, NGO, association or any other non-profit organization, whose purpose is political, philosophical, religious or union activities, provided that they refer exclusively to its members or to persons who maintain regular contacts due to their purpose. In these events, the data can not be provided to third parties without the authorization of the owner.

- d. The processing refers to data that are necessary for the recognition, exercise or defense of a right in a judicial process.
- e. The processing has a historical, statistical or scientific purpose. In this event, the measures leading to the suppression of identity of the holders must be adopted.

5.5. National and International Transfer and Transmission of Personal Data

5.5.1. National Transfer and Transmission

The **COLOMBIAN BOOK CHAMBER** may circulate personal information with third parties external to the organization located in the national territory, whether these are governmental or public authorities (including among other judicial, administrative or tax authorities, and civil, criminal, administrative and disciplinary investigation bodies), third parties participating in legal proceedings, accountants, auditors, attorneys and other advisers and representatives, whose function is necessary to: a) comply with the laws in force; b) attend legal processes; c) respond to requests from public authorities and the government; d) send the database of the ISBN and metadata to the Regional Center for the Promotion of the Book in Latin America and the Caribbean - CERLALC according to the cooperation agreement, which will be included in the Integrated Catalog of Latin American Books ; e) protect the operations of the Colombian Book Chamber.

The **COLOMBIAN BOOK CHAMBER** will take the necessary measures so that third parties in charge of the organization know and commit to observe this Policy, with the understanding that the personal information they receive can only be used for matters directly related to the corporate purpose of the **COLOMBIAN BOOK CHAMBER**, and for the purpose for which they were collected, and may not be used or destined to a different purpose or intent.

5.5.2. International Transfer and Transmission

5.5.2.1 International Transfer

The organization currently performs international transfer of personal data due to its quality as a national office for the operation and administration of the ISBN and ISMN. Therefore, the **COLOMBIAN BOOK CHAMBER** carries out the International Transfer of Personal Data of the ISBN and ISMN user, when it sends the contact data and location to the **International ISBN Agency** based in London, which will be included in the **Global Register of Editors** and the **ISMN International Agency** based in Germany, which will be included in the **ISMN Directory**, in accordance with the contractual requirement that is maintained with each International Agency. The **COLOMBIAN BOOK CHAMBER**, ensures that the country to which personal data are transferred provides adequate levels of data protection, which in no case may be lower than those set in Colombia by Statutory Law 1581 of 2012 and its regulatory decrees.

5.5.2.2 International Transmission

The organization is currently carrying out International Transmission of Personal Data to **Applied Technologies Apli-k EU** and **BTEC SAS**, as **RESPONSIBLE** for data processing under the hosting service, virtualization and information management of the Colombian Book Chamber and the data obtained for procedures conducted in the Colombian Agency of the ISBN and ISMN. Therefore, the **COLOMBIAN BOOK CHAMBER** carries out the International Transmission of Personal Data of the ISBN user and ISMN to **Applied Technologies Apli-K EU** with headquarters in Colombia and management of the server located in the United States; and **BTEC SAS** based in Colombia and management of the server located in Canada, according to the contractual requirement that is maintained with each of them. The **COLOMBIAN BOOK CHAMBER**,

ensures that the country to which personal data are transferred provides adequate levels of data protection, which in no case may be lower than those set in Colombia by Statutory Law 1581 of 2012 and its regulatory decrees.

6. RIGHTS OF THE HOLDERS

In compliance with the provisions of current and applicable regulations regarding habeas data or protection of personal data, the holder has the following rights:

- a. Know, rectify and update their personal data in the **COLOMBIAN BOOK CHAMBER**, in its role as **RESPONSIBLE FOR THE PROCESSING**.
- b. Request proof of the authorization granted to the **COLOMBIAN BOOK CHAMBER**, in its role as **RESPONSIBLE FOR THE PROCESSING**.
- c. To receive information from the **COLOMBIAN BOOK CHAMBER**, upon request, regarding the use that has been given to their personal data.
- d. Appear before the legally constituted authorities, especially before the Superintendence of Industry and Commerce, and file complaints for infractions to the provisions of the regulations in force of the applicable rules, prior to processing inquiry or requirements in the **COLOMBIAN BOOK CHAMBER** as the **RESPONSIBLE FOR THE PROCESSING**.
- e. Modify and revoke the authorization and/or request the deletion of your personal data when the processing does not respect the principles, rights and constitutional and legal guarantees in force.
- f. Have knowledge and access for free to your personal data that has been subject to processing.

7. EXERCISE OF RIGHTS BY THE HOLDERS

The **COLOMBIAN BOOK CHAMBER** possesses an administrative organization that allows it to deal with requests, queries and complaints in general that arise regarding the

processing of personal data made within the organization. For the above, the person or area responsible for carrying out the function of protection of personal data and the channel of attention is designated, so that it may be used by the holders for the presentation of Queries and Claims:

Area designated to perform the data protection task:

General Secretary

Care channel:

Written communication to e-mail habeasdata@camlibro.com.co

7.1 Queries

The holders, as well as their successors in title, representatives and/or proxies of the duly accredited holder, may consult the personal information of the holder that rests in any database of the **COLOMBIAN BOOK CHAMBER**. Consequently, the **COLOMBIAN BOOK CHAMBER** will guarantee the right to consultation, providing the holders, all the information contained in the individual record or that is linked to the identification of the holder.

The Consultations will be attended within a maximum term of ten (10) business days from the date of receipt. When it is not possible to attend the consultation within said time limit, the interested party will be informed before the expiration of the ten (10) days mentioned, stating the reasons for the delay and indicating the date on which their request will be attended, which in no case may exceed five (5) business days following the expiration of the first closing date.

7.2 Claims

The holders, as well as their successors in title, representatives and/or holders of the duly accredited holder, who consider that the information contained in a database must be



subject to *correction, rectification, updating or elimination*, or when they notice the presumed breach of any of the duties comprised in the law, may submit a claim to the **COLOMBIAN BOOK CHAMBER**, sending it through the area designated to exercise the function of protection of personal data within the organization.

A claim may be submitted free of charge, after proof of identity of the holder, successor, representative or agent.

Claims will be handled within a maximum term of fifteen (15) business days from the day following its receipt. When it is not possible to attend the claim within said time limit, the interested party will be informed before the expiration of the fifteen (15) days mentioned, stating the reasons for the delay and indicating the date on which their inquiry will be attended, which in no case may exceed the eight (8) business days following the expiration of the first closing date.

All claims must contain at least the following information, following the provisions in article 15 of Law 1581 of 2012:

- ✓ The identification of the holder.
- ✓ Documents proving the identity or personality of the holder, successor, representative or agent.
- ✓ The description of the facts that lead to the claim, with a clear and precise description of the personal data on which the holder seeks to exercise any of the rights.
- ✓ The notification address or any other means to receive the response.
- ✓ The documents that you want to assert.

If an incomplete claim is filed, within the term of five (5) working days following its receipt, the missing information will be requested to the interested party in order to correct it. After

two (2) months from the date of the request, without the applicant submitting the required information, it shall be construed that the claim has been abandoned.

7.3 Deletion of data

The holders have the right, at all times, to request the deletion of their personal data. This suppression implies the total or partial elimination of personal information in accordance with the request by the holder.

The deletion of personal data is not an absolute right and the **COLOMBIAN BOOK CHAMBER OF** as **RESPONSIBLE FOR THE PROCESSING** can deny its exercise when:

- a. The holder has a legal or contractual duty to remain in the database.
- b. The elimination of data represents an obstacle to the exercise of judicial or administrative actions.

7.4 Revocation of authorization

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

The revocation of consent can occur in two modalities; the first one may refer to the totality of the consented purposes, that is, that the **COLOMBIAN BOOK CHAMBER** must stop processing the data of the holder completely; the second is the partial revocation of the consent, which may occur on certain purposes, such as for advertising or market studies purposes, keeping other purposes of the processing safe in accordance with the authorization granted by the holder.

7.5 Procedural requirement

The lodging of complaints for the exercise of their rights before the Superintendence of Industry and Commerce will only be appropriate once the interested party has exhausted the process of Consultation or Claim directly before the **COLOMBIAN BOOK CHAMBER** as **RESPONSIBLE FOR THE PROCESSING**.

8. PRIVACY WARNING

The privacy notice is the physical document, electronic or in any other known or to be devised format, which is made available to the holder by the **COLOMBIAN BOOK CHAMBER** for the processing of their personal data. Through this document the holder is informed of the details regarding the existence of the information processing policies that will be applicable to him, the way to access them and the characteristics of the processing intended to be given to personal data.

The **COLOMBIAN BOOK CHAMBER** will use privacy notices to address the right of the holders to be informed, which will be supplied through electronic communications, and in visible places during the realization of any event or meeting in which personal data are collected to inform the holders about the processing.

9. VALIDITY AND MODIFICATION OF THE POLICY

This policy applies as of October 1, 2018 and renders null and void the regulations or special manuals that had been issued previously. In any case, the **COLOMBIAN BOOK CHAMBER** reserves the right to modify it at any time, informing the interested parties in a timely manner of its entry into force.