

## **GENERAL CONSIDERATIONS**

Recognizing the importance of protecting and properly handling the personal information provided by data holders, Hotel Las Islas, in its capacity as the entity responsible for the data received, has designed these policies and procedures for the proper use of personal data. Hotel Las Islas is established as a Temporary Joint Venture between the travel and tourism agency Aviatur S.A.S. and Grupo Aviatur Ltda.

The provisions set forth in Article 15 of the Political Constitution of Colombia establish habeas data as a fundamental right of all citizens to become aware of, update, and rectify their personal data contained in private and public databases and archives, which is unfailingly related to how our staff must handle and process the personal data received. This right was established by Statutory Law 1581 of 2012 and Regulatory Decree 1377 of 2013, based on which HOTEL LAS ISLAS, as the **ENTITY RESPONSIBLE** for the personal data that it receives from its customers, manages and processes the data, and therefore issues this personal data processing policy, which is of public knowledge to all consumers, so that they are aware of how HOTEL LAS ISLAS treats personal data.

The provisions of this personal data processing policy are binding for HOTEL LAS ISLAS, its administrators, employees, contractors, and third parties that HOTEL LAS ISLAS engages with.

## **PURPOSE**

By implementing this policy we intend to ensure confidentiality and safety in processing the data of our customers, vendors, employees, and third parties, from whom HOTEL LAS ISLAS has legally obtained information and personal data according to the guidelines established by the law governing the Habeas Data right. Similarly, this policy also complies with the provisions of section K, Article 17 of the aforementioned law.

## **DEFINITIONS**

- **Authorization:** Prior, express, and informed consent by the data holder to process the information; this may be in written or verbal form, or through unambiguous behaviors that allow us to reasonably conclude that the data holder granted his/her authorization.
- **Database:** This is the organized set of personal data to be processed, either electronically or otherwise, regardless of the method of creation, storage, organization, and access.
- **Consultation:** Request by the data holder or the persons authorized by him/her, or by law, to become aware of the data contained in the databases or archives.
- **Personal data:** Any data linked to, or associated with, one or several determined or determinable natural persons. This data is classified as sensitive, public, private, and semi-private.
- **Sensitive personal data:** Information that affects the privacy of a person or whose improper use can lead to discrimination, such as information revealing racial or ethnic origin, political orientation, religious or philosophical convictions, union affiliation, membership to social or human rights organizations, or that promote the interests of any political party, or warrant the rights and guarantees of opposition political parties, as well as data related to health, sexual life, and biometrics (fingerprints, among others).  
For the purposes of this policy, the Hotel warns of the optional nature of the data holder to provide this type of information in case it is requested.
- **Public personal data:** This is the data classified as such according to the mandates of the law or the Political Constitution, and all those that are not semi-private or private. Public information includes data contained in public documents, public records, gazettes and official newsletters, and duly executed judicial sentences that are not subject to confidentiality, information relating to the marital status, profession or trade of the people,

and their capacity as merchants or public servers, among others. All personal data contained in the mercantile registries of the Chambers of Commerce is public (Article 26 of the Colombian Constitution).

Similarly, public data also includes the information that, by virtue of a decision by the holder or by legal mandate, is contained in archives that are freely accessible for consultation. This data may be obtained and offered without reservation, and regardless of whether they refer to general, private, or personal data.

- **Private personal data.** This is the data that, due to its intimate or reserved nature, is only relevant to the person who owns the data. Examples: commercial booklets, private documents, or data extracted from home inspections.
- **Semi-private personal data.** Semi-private data that is not of private nature, that is not reserved or public, and whose knowledge or disclosure may interest its holder but also a certain sector or group of people, or the society as a whole, including information regarding compliance and non-compliance with financial obligations or data concerning relations with social security entities, among others.
- **Person responsible for processing the data:** This is the person who, by him/herself or in association with others, makes decisions regarding the database and/or the processing of the data.
- **Person in charge of processing the data:** This is the person who processes the data on behalf of the person responsible for the data.
- Being "**Authorized**" refers to the Hotel and all persons under its responsibility, who by virtue of the authorization and the policy have the legitimacy to submit the personal data of the holder to processing. Authorized persons include those who are "Enabled."
- "**Enabling**" or being "**Enabled**" refers to the legitimacy granted expressly and in writing by the Hotel to third parties by means of a contract or similar document, in compliance with the applicable law, for the processing of personal data, thereby making such third parties in charge of processing the personal data given or made available to them.
- **Complaint:** Request by the data holder, or the persons authorized by him/her, or by law to correct, update, or delete their personal data, or when they notice that there is an alleged breach of the data protection regime, according to Article 15 of Law 1581 of 2012.
- **Data holder:** The natural person that the data refers to.
- **Processing:** Any personal data operation or set of operations, such as the collection, storage, use, dissemination, or deletion of this kind of data, among others.
- **Transmission:** Processing of personal data that implies the disclosure thereof within (national transmission) or outside Colombia (international transmission), so that the person in charge can carry out a process on behalf of the person responsible.
- **Transfer:** Data transfer takes place when the person responsible and/or in charge of processing personal data in Colombia sends the personal data or information to a recipient, who in turn is responsible for processing it, and is within or outside the country.
- **Procedural requirement:** The holder or assignee may only file a complaint with the Superintendency of Industry and Commerce once the process of consultation or claim has been exhausted with the person responsible or in charge of processing the data, according to Article 16 of Law 1581 of 2012.

## PRINCIPLES FOR PROCESSING PERSONAL DATA

Personal data processing must be carried out pursuant to the general and special rules on the matter, and for activities permitted by law. Consequently, the following principles are applied for the purposes of this policy:

- **Principle of legality:** Data processing is a regulated activity that must be subject to the provisions set forth in the law and other related extending provisions.
- **Principle of purpose:** Data processing must fulfill a legitimate purpose in accordance with the Constitution and the Law.

**POLÍTICA DE PRIVACIDAD Y TRATAMIENTO DE LOS DATOS PERSONALES**

- **Principle of freedom:** Data processing may only be exercised 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 a legal or judicial mandate that relieves this consent.
- **Principle of truthfulness or quality:** The data subject to processing must be truthful, complete, accurate, updated, verifiable, and understandable. Processing partial, incomplete, fractioned, or misleading data is prohibited.
- **Principle of transparency:** Data processing must ensure the right of the holder to obtain information concerning him/her from the person responsible for processing it, at any time and without restrictions.
- **Principle of restricted access and circulation:** Data processing is subject to the limits that derive from the nature of the personal data, the provisions of the law, and the Constitution. In this sense, data processing may only be carried out by the persons authorized by the holder and/or by the persons provided for in the law.
- **Principle of security:** The data subject to processing by the person responsible or the person in charge of processing referred to in this law, shall be handled with the technical, human, and administrative measures necessary to ensure the security of the records thereby preventing them from being tampered, lost, queried, used, or accessed without authorization or fraudulently.
- **Principle of confidentiality:** All persons involved in processing personal data that is not of public nature shall guarantee the confidentiality of the data, even after their involvement with any of the processing tasks, which only allows them to supply or provide personal data when it relates to the activities authorized in this law and in the terms set forth therein.

**RIGHTS OF DATA HOLDERS**

In accordance with current legal provisions, personal data holders have the following rights:

1. The right to become aware of, update, rectify, and consult their personal data at any time, with respect to the data that they consider to be partial, inaccurate, incomplete, fractioned, or that lead to error.
2. The right to request evidence of the authorization granted to HOTEL LAS ISLAS at any time, except in the cases in which the person responsible is legally released from having authorization to process the data of the holder.
3. The right to be informed by HOTEL LAS ISLAS, upon request by the data holder, regarding the use of the data.
4. The right to file the pertinent complaints with the Superintendency of Industry and Commerce to assert their Habeas Data rights.
5. The right to revoke the authorization and/or request the deletion of any data when they consider that HOTEL LAS ISLAS has not respected their constitutional rights and guarantees.
6. The right to free access to the personal data that they voluntarily decide to share with HOTEL LAS ISLAS.

**PROCESSING AND PURPOSES**

The Hotel informs data holders, customers, vendors, and employees that the data shall be used for the following purposes:

- As evidence of the contractual relationship established with the Hotel.
- For the provision of services related to the products and services offered.

**POLÍTICA DE PRIVACIDAD Y TRATAMIENTO DE LOS DATOS PERSONALES**

- To carry out all activities related to the service or product; a list of emails will be assembled to send newsletters.
- To inform about changes in the conditions of the services and products purchased, and notify about new services and products.
- To carry out all tax, accounting, fiscal, and billing procedures.
- To manage requests, clarifications, and investigations.
- To prepare the necessary studies and programs to determine consumption habits.
- To refine security filters and business rules in commercial transactions; and to confirm and process these transactions with financial institutions, our service providers, and our customers.
- To conduct periodic assessments of our products and services to improve their quality.
- To send, by traditional and electronic means, current and future technical, operational, and commercial data regarding the products and services offered by the Hotel, its associates, or vendors.
- To request satisfaction surveys, which are not of mandatory nature.
- To convey and/or transfer data to other companies or business partners in order to fulfill our corporate purpose.
- To comply with obligations contracted by the Hotel with its customers at the moment of purchasing our services and products and, in particular, to manage the aspects related to the hotel registration process and the service provided during their stay.
- To respond to queries, requests, complaints, and claims submitted by control bodies and other authorities, which must receive personal data under the applicable law.
- Any other activity of a nature similar to those previously described which is necessary to fulfill the corporate purpose of the Hotel.
- To comply with the obligations contracted by the Hotel with the employees that hold the data, in relation to the payment of salaries, social benefits, and other items enshrined in the employment contract and current labor regulations.
- To inform employees of any aspect that arises throughout the employment contract and even after its completion.
- To assess the quality of the services provided.
- To carry out internal employee habit studies or request personal data to implement programs or management systems.
- To make payroll deductions authorized by employees.
- To manage requests, activities, clarifications, and investigations.
- To market and sell our products and services.
- To request surveys, which are not of mandatory nature for employees.
- The Hotel has installed video surveillance cameras in different internal and external places around the facilities. Consequently, the Hotel informs about these mechanisms by placing video surveillance signs in visible places. The data collected by these means shall be used for security purposes to safeguard the people, assets, and facilities of the Hotel. This data can be used as evidence in any type of proceeding with any authority and organization. The data thus captured shall only be provided upon request or demand of the competent authority.

Given that the Hotel belongs to the Aviator business group, personal data may be shared with group companies, business partners, and/or third-party vendors (booking systems for flights, hotels, cars, transaction security validators, banks, financial networks, or tourist services), and these processes may come about in places different from where the tourist service or product was contracted, with the same purposes indicated for collecting the personal data. These entities shall comply with the corresponding confidentiality, transmission, or transfer agreements.

The Hotel shall not transfer the personal data of the holders to third parties, unless it has the necessary authorizations, or by means of a court order. In this case, due to legal or corporate obligation, the holder shall be duly warned in the personal data forms, together with the

identification of the company transferring the data and the third party, the type of activities that it is engaged in, and the purpose of the transfer.

Should the Hotel need to transfer personal data to third parties domiciled abroad, on account of the provision of services and/or products, the Hotel shall ensure the confidentiality and safe treatment of the personal data in the international handovers that may occur as a result of these transfers.

The Hotel reserves the right to modify this policy to adapt it to legislative or jurisprudential developments, as well as best practices in the tourism sector and other sectors of the economy concerning the business group.

At the time of providing the service, should the holder be accompanied by minors, and should their personal data be collected, the Hotel shall always request the authorization of the legal representative of the minors. The Hotel shall strive to respect the rights of the minors, and their best and prevalent interest at all times. The representative shall guarantee them the right to be heard and value their opinion of the process, considering the maturity, autonomy, and capacity of the minors. The representatives shall be informed of the optional nature in answering questions about the minors.

The Hotel has adopted the legally required security levels to protect the personal data, and has installed all the means and technical measures at its disposal to avoid the loss, misuse, alteration, unauthorized access, and theft of the personal data provided; however, the data holder must be aware that security measures on the Internet are not unbreakable.

For more information about the Hotel, its identity, address, and contact methods, please visit our website [www.lasislas.com.co](http://www.lasislas.com.co), which contains the terms and conditions applicable to the services and products published. You may consult this data at any time.

National or international transfer of personal data. HOTEL LAS ISLAS may transfer data inside or outside the national territory, when authorized by the holder of the data, or by law, or by an administrative or judicial mandate.

International and national transmission of personal data. HOTEL LAS ISLAS may send or transmit data to one or more persons in charge of processing the data, who are located within or outside the territory of Colombia, with the authorization of the holder, and, in the absence of an authorization, when there is a contract for the transmission of data or a contractual clause between HOTEL LAS ISLAS and the person in charge of processing the data.

#### **DUTIES OF THE PERSON RESPONSIBLE FOR PROCESSING THE DATA**

- Guarantee the full and effective exercise of the habeas data right of data holders at all times.
- Request and keep a copy of the respective authorization granted by the holder in the conditions provided for in this law.
- Properly inform the holder about the purpose of collecting the data and his/her rights by virtue of the authorization granted.
- Keep the data under the necessary security conditions to prevent it from being tampered, lost, queried, used, or accessed without authorization or fraudulently.
- Process queries and claims formulated in the terms set forth in this law.
- Adopt an internal policies and procedures manual to ensure proper compliance with this law and, particularly, to respond to queries and complaints.
- At the request of the data holder, inform him/her about the use of their data.
- Notify the data protection authority in the event of breaches of the security codes and risks in managing the personal data.

- Comply with the instructions and requirements established by the Superintendence of Industry and Commerce.

#### **DUTIES OF THE PERSON IN CHARGE OF PROCESSING THE DATA**

- Guarantee the full and effective exercise of the habeas data right of data holders at all times.
- Keep the data under the necessary security conditions to prevent it from being tampered, lost, queried, used, or accessed without authorization or fraudulently.
- Update, rectify, or delete data in a timely manner, as indicated in the terms set forth in this law.
- Update the information reported by the persons responsible for processing the data within five (5) business days from the moment of reception.
- Process queries and claims formulated in the terms established in this law.
- Adopt an internal policies and procedures manual to ensure proper compliance with this law and, particularly, to respond to the queries and complaints filed by the holders.
- Refrain from circulating data that is being controverted by the holder and which has been instructed to be blocked by the Superintendence of Industry and Commerce.
- Allow access to the data only to authorized persons.
- Notify the Superintendence of Industry and Commerce in the event of breaches of the security codes and risks in managing the personal data.
- Comply with the instructions and requirements established by the Superintendence of Industry and Commerce.

#### **PETITIONS, CLAIMS AND COMPLAINTS**

HOTEL LAS ISLAS has assigned the email address [privacidad@aviatur.com](mailto:privacidad@aviatur.com) to channel, analyze, and respond to the requests, complaints, and queries related to the handling and processing of personal data. This e-mail address is therefore intended for people to send their requests, which shall be treated in accordance with the provisions of Law 1581:

A. Queries: Holders or their assignees may verify their personal data contained in our database. HOTEL LAS ISLAS shall provide them with all the data contained in their individual registration or that is related to the identification of the holder. The query shall be addressed within a maximum period of ten (10) working days from the date of reception. Should it not possible to respond to the query within that term, the concerned party shall be notified of a date on which the query shall be addressed, which in no case may exceed five (5) working days after the expiry of the first term.

B. Claims: Holders or assignees who consider that the data contained in a database should be subject to correction, update, or deletion, or when they warn an alleged breach of any of the duties under the law, may file a complaint with HOTEL LAS ISLAS, which shall be processed pursuant to the following rules:

1. The claim shall be addressed to HOTEL LAS ISLAS with the identification of the holder, the description of the facts that gave rise to the claim, and the address, and it shall also be attached with the documents they wish to assert. If the claim is incomplete, HOTEL LAS ISLAS shall request the interested party to correct the faults within five (5) days after receiving the claim. Should the requesting party fail to submit the required data within two (2) months from the date of the request, the claim shall be deemed abandoned.

**POLÍTICA DE PRIVACIDAD Y TRATAMIENTO DE LOS DATOS PERSONALES**

2. Once the complete claim has been received, a caption that reads "claim in process" and the reason for it shall be included in the database no later than two (2) business days. This caption shall be kept until the claim has been decided.

3. The maximum term to address the claim shall be fifteen (15) business days from the day following the date of receipt. Should it not be possible to address the claim within this term, the interested party shall be notified of a date on which the claim shall be addressed, which in no case may exceed eight (88) working days after the expiry of the first term.

In any case, the holder or the assignee may only file a complaint with the Superintendence of Industry and Commerce once the process of the query or claim against HOTEL LAS ISLAS has been exhausted.

Information Security Management shall be the area responsible for receiving and processing claims.

Requests to delete data and revoke authorizations shall not be applicable when the data holder has a legal or contractual duty to remain in the database.

Should you have any questions or queries regarding the process of collecting, processing, or transferring personal data, or consider that the data contained in one of our databases should be corrected, updated, or deleted, please send us an email to the following address: [privacy@aviatur.com](mailto:privacy@aviatur.com).

**CONTACT INFORMATION OF THE ENTITY RESPONSIBLE FOR PROCESSING THE DATA**

Corporate name: **HOTEL LAS ISLAS**  
Address: Ciénaga de Cholón, Barú, Cartagena de Indias.  
E-mail: [privacidad@aviatur.com](mailto:privacidad@aviatur.com).  
Telephone: (+57 5) 6517123  
Webpage: [www.lasislas.com.co](http://www.lasislas.com.co)

**VALIDITY**

This policy was created and published on the Hotel's website, on July 12, 2018, and becomes effective as of the date of publication. Version 2 updated on September 19, 2018.