

	Document Type: Policy	Document No.: GCT-PL-010
	AEV Data Privacy Policy	Effective Date: 03/23/2017
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1.0 PURPOSE

This policy is hereby adopted by the Company to:

- 1.1 Comply with the statutory obligation set forth under the Data Privacy Act and the regulations of the National Privacy Commission, in particular.
- 1.2 Ensure the fair and lawful processing of the personal data of data subjects, including employees, clients, customers, shareholders and other individuals.
- 1.3 Provide guidelines to team members on the proper handling of personal data.
- 1.4 Ensure the confidentiality, integrity and availability of personal data under the control of the Company.
- 1.5 Protect the Company from reputational and legal risks that may result from non-compliance with the Data Privacy Act.

2.0 SCOPE

2.1 This policy shall cover all personal data in whatever form (e.g., physical or digital), and processing of personal data in whatever manner (e.g., manual or automated) by the Company, its directors, officers, and employees of the Company.

3.0 DEFINITIONS

- 3.1 "Company" refers to Aboitiz Equity Ventures, Inc.;
- 3.2 "Data subject" refers to an individual whose personal, sensitive personal, or privileged information is processed;
- 3.3 "Data processing systems" refers to the structure and procedure by which personal data is collected and further processed in an information and communications system or relevant filing system, including the purpose and intended output of the processing;
- 3.4 "Data sharing" is the disclosure or transfer to another entity of personal data under the custody of a

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Page 1 of 7	

AEV Data Privacy Policy	Document No.: GCT-PL-010
	Version: 1
	Page: 2 of 7

company. The term excludes outsourcing, or the disclosure or transfer of personal data by the company to a contractor;

3.5 “Direct marketing” refers to communication by whatever means of any advertising or marketing material which is directed to particular individuals;

3.6 “Personal data” refers to all types of personal information including sensitive personal information and privileged information;

3.7 “Personal data breach” refers to a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed. A personal data breach may be in the nature of:

3.7.1 An availability breach resulting from loss, accidental or unlawful destruction of personal data;

3.7.2 Integrity breach resulting from alteration of personal data; and/or

3.7.3 A confidentiality breach resulting from the unauthorized disclosure or access to personal data.

3.8 “Personal information” refers to any information from which the identity of an individual is apparent or can be reasonably and directly ascertained, or when put together with other information would directly and certainly identify an individual;

3.9 “Processing” refers to any operation or any set of operations performed upon personal data including the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure or destruction of data. Processing may either be automated or manual;

3.10 “Profiling” refers to any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects of an individual, in particular to analyze or predict aspects concerning an individual's performance at work, economic situation, health, personal preferences, interests, reliability, behavior, location or movements;

3.11 “Privileged information” refers to any and all forms of data considered to be privileged communication under pertinent laws, including spousal communication, attorney–client communication and doctor–patient communication;

3.12 “Security incident” is an event or occurrence that affects or tends to affect data protection, or may compromise the availability, integrity and confidentiality of personal data. It includes incidents that would result to a personal data breach, if not for safeguards that have been put in place;

3.13 Sensitive personal information refers to personal information:

3.13.1 About an individual’s race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;

3.13.2 About an individual’s health, education, genetic or sexual life, or to any proceeding for any offense committed or alleged to have been committed by such individual, the disposal of such proceedings, or the sentence of any court in such proceedings;

3.13.3 Issued by government agencies peculiar to an individual including social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and

3.13.4 Specifically established by law to be kept classified.

4.0 DATA PRIVACY GOVERNANCE

4.1 Oversight. The Board of Directors of the Company shall have overall oversight of compliance with the Data Privacy Act and implementation of this policy and other related policies of the Company.

4.2 Data Privacy Officer. A Data Privacy Officer (DPO), who shall be an organic employee of the Company, shall be appointed by the Chief Executive Officer (CEO). The DPO shall report directly to the CEO. In the event that the DPO has other job functions with reporting line to another senior officer, he/she shall have a

<p>Document Title:</p> <h1 style="margin: 0;">AEV Data Privacy Policy</h1>	<p>Document No.:</p> <p style="text-align: center;">GCT-PL-010</p>
	<p>Version:</p> <p style="text-align: center;">1</p>
	<p>Page:</p> <p style="text-align: center;">3 of 7</p>

direct reporting line to the CEO for his DPO functions.

The DPO shall have the following duties and responsibilities:

- 4.2.1 Ensure compliance with the Data Privacy Act and regulations as well as this policy and other related policies of the Company;
- 4.2.2 Ensure the regular review (at least annually) of privacy related policies, guidelines and procedures of the Company;
- 4.2.3 Coordinate with the relevant officer/s of the Company responsible for information security management for the effective implementation of information security measures in the Company to ensure the confidentiality, integrity and availability of personal data;
- 4.2.4 Organize privacy and information security trainings;
- 4.2.5 Coordinate with the Company's Data Breach Response Team in the management of security incidents and personal data breaches;
- 4.2.6 Oversee and coordinate the conduct of privacy impact assessments to identify privacy risks in the Company;
- 4.2.7 Develop and implement remediation plans for privacy and information security risks in coordination with the information security officer and process owners;
- 4.2.8 Monitor compliance with the Company's privacy and information security standards of third party providers and other entities with access to personal data under the control of the Company; and
- 4.2.9 Ensure compliance by the Company of the reportorial, registration and other regulatory requirements of the National Privacy Commission.

4.3 Team Leaders. The team leader of any department which process personal data shall have the following duties and responsibilities:

- 4.3.1 Understand the Company's compliance obligations under the Data Privacy Act and related regulations;
- 4.3.2 Ensure implementation of policies and guidelines established for compliance with the Data Privacy Act and related regulations, as well as with this policy and other privacy and information security related policies of the Company, by embedding such policies and guidelines in the day-to-day processes and procedures of the department;
- 4.3.3 Conduct privacy impact assessments as may be needed;
- 4.3.4 Coordinate with the DPO and the information security officer in the development of controls and mitigation plans to address identified privacy risks;
- 4.3.5 Ensure the implementation of risk controls and mitigation plans in the department;
- 4.3.6 Promote a culture of privacy in the department;
- 4.3.7 Ensure that team members have the capability to comply with privacy and information security requirements as provided by law, regulations or internal company policies and guidelines; and
- 4.3.8 Report immediately to the DPO any security incident or data breach in accordance with the Company's incident response policy and procedure.

4.4. Team Members. Each team member who process personal data shall have the following duties and responsibilities:

- 4.4.1 Understand the Company's compliance obligations under the Data Privacy Act and related regulations;
- 4.4.2 Understand and comply with privacy and information security policies and procedures in the processing of personal data;
- 4.4.3 Report immediately to his/her respective TL any security incident or data breach in accordance with the Company's incident response policy and procedure;
- 4.4.4 Implement controls and mitigation plans to address privacy risks; and
- 4.4.5 Regularly attend or undergo privacy trainings and other learning activities.

5.0 PROCESSING OF PERSONAL DATA

5.1 Rights of a Data Subject. The rights of a data subject as provided in the Data Privacy Act should be

<p>Document Title:</p> <h1 style="margin: 0;">AEV Data Privacy Policy</h1>	<p>Document No.:</p> <p style="text-align: center;">GCT-PL-010</p>
	<p>Version:</p> <p style="text-align: center;">1</p>
	<p>Page:</p> <p style="text-align: center;">4 of 7</p>

observed when processing personal data.

5.1.1 Right to be informed. A data subject has the right to be informed on the following matters:

- 5.1.1.1 Whether his personal data shall be, are being or have been processed;
- 5.1.1.2 The type of personal data to be entered into the data processing system;
- 5.1.1.3 The purpose/s for the processing;
- 5.1.1.4 The scope and method of processing;
- 5.1.1.5 The parties to whom the personal data may be disclosed;
- 5.1.1.6 Methods utilized for automated access if allowed by the data subject;
- 5.1.1.7 Contact details of the company or its representative;
- 5.1.1.8 Period for which the personal data will be stored; and
- 5.1.1.9 Existence of their rights as data subject.

5.1.2 Right to object. A data subject has a right to object to processing which may cause him damage or distress, as well as processing for direct marketing, automated processing or profiling.

5.1.3 Right to access. A data subject has the right to reasonable access, upon demand, to the following:

- 5.1.3.1 Contents of his personal data which were processed;
- 5.1.3.2 Sources from which personal information were obtained;
- 5.1.3.3 Names and addresses of recipients of the personal data;
- 5.1.3.4 Manner by which the personal data were processed;
- 5.1.3.5 Reasons for disclosure of the personal data to recipients;
- 5.1.3.6 Information on automated processes where the personal data will or likely to be made as the sole basis for any decision significantly affecting or that will affect the data subject;
- 5.1.3.7 Date when his personal data was last accessed or modified; and
- 5.1.3.8 Name, address and contact details of the company or its representative.

5.1.4 Right to rectification. The data subject has the right to dispute the inaccuracy or error in the personal data and have the company correct it immediately and accordingly, unless the request is vexatious or unreasonable.

5.1.5 Right to erasure or blocking. A data subject has the right to suspend, withdraw or order the blocking, removal or destruction of his personal data from the company's filing system upon discovery and substantial proof that the personal data are incomplete, outdated, false, unlawfully obtained, used for unauthorized purpose or no longer necessary for the purposes for which they were collected.

5.1.6 Right to be indemnified. A data subject has a right to be indemnified for any damages sustained due to inaccurate, incomplete, false, unlawfully obtained or unauthorized use of personal data.

5.1.7 Right to lodge a complaint. A data subject has the right to lodge a complaint before the National Privacy Commission for any violations of his or her rights granted under the Data Privacy Act.

5.1.8 Right to data portability. A data subject shall have the right to obtain from the Company a copy of his or her personal data in an electronic or structured format that allows for further use, should his or her personal data be processed in an electronic or structured format subject to the specifications, technical standards, modalities, procedures and other rules for transfer of such personal data in an electronic or structured format to be issued by the National Privacy Commission.

The foregoing rights may be invoked by the data subject's lawful heirs or assigns in case of the data subject's death or incapacity.

5.2 Data Processing System. To ensure effective privacy compliance and risk management, the Company shall document the following:

- 5.2.1 Departments, employees or third parties with functions relating to personal data processing.

<p>Document Title:</p> <h2 style="margin: 0;">AEV Data Privacy Policy</h2>	<p>Document No.:</p> <p style="text-align: center;">GCT-PL-010</p>
	<p>Version:</p> <p style="text-align: center;">1</p>
	<p>Page:</p> <p style="text-align: center;">5 of 7</p>

5.2.2 The categories of and inventory of data subjects and the types of personal data being processed.

5.2.3 A description of the information flow, from the point of collection up to the disposal of personal data, including any processing done in between, as well as the manner and extent of processing.

5.2.4 The purposes for processing including any intended future processing or data sharing.

5.2.5 The recipients or intended recipients of personal data.

5.3 Data Collection.

5.3.1 The data subject must be informed in clear and plain language that his personal data is or will be collected and processed. For this purpose, a privacy statement containing the following information shall be supplied to the data subject at the point of collection (e.g., websites, intranet, microsite, mobile apps, customer and employee forms):

- 5.3.1.1 Description of personal data to be processed;
- 5.3.1.2 Purpose/s of processing;
- 5.3.1.3 Scope and method of processing;
- 5.3.1.4 Parties to whom the personal data may be disclosed;
- 5.3.1.5 Contact details of the company or its Data Privacy Officer;
- 5.3.1.6 Retention period; and
- 5.3.1.7 His rights as data subject.

Prior notification to data subjects shall be made in case of amendment privacy statement.

5.3.2 Except in instances allowed by law or regulation, the consent of the data subject to processing must be obtained prior to collection. In the case of the processing of sensitive or privileged information, all parties must have given their consent prior to processing.

5.4 Fair and Lawful Processing. Processing must be for purposes that are not contrary to law, morals or public policy. Personal data must not be misused and processing must be in accordance with the declared and specified purposes. Appropriate measures shall be implemented to prevent misuse of personal data that can harm a data subject.

5.5 Data Quality. Data quality must be ensured when processing personal data.

5.5.1 Personal data must be accurate, relevant and, where necessary for purposes for which it is to be used, kept up to date.

5.5.2 Inaccurate or incomplete data must be corrected, supplemented, destroyed or their further processing restricted.

5.6 Proportionality of Processing. Processing must be adequate and not excessive in relation to the purposes for which they are collected and processed.

5.7 Retention. Personal data shall be retained only for as long as necessary for the fulfillment of the purposes for which it was obtained, or for the establishment, exercise or defense of legal claims, or for legitimate business purposes, or as provided by law.

5.8 Data Sharing.

<p>Document Title:</p> <h1 style="margin: 0;">AEV Data Privacy Policy</h1>	<p>Document No.:</p> <p style="text-align: center;">GCT-PL-010</p>
	<p>Version:</p> <p style="text-align: center;">1</p>
	<p>Page:</p> <p style="text-align: center;">6 of 7</p>

5.8.1 The consent of the data subject on data sharing must be obtained even when the data is to be shared with the Company’s parent, subsidiaries or affiliates.

5.8.2 Any data sharing arrangement must be covered by a data sharing agreement which shall provide, among others, the data privacy and security standards to be observed.

5.9 Security Measures. Taking into account its risk profile, the Company shall implement the appropriate organizational, physical and technical security measures to ensure privacy and data protection.

5.9.1 Promote privacy and data protection awareness in the company through trainings and regular communication.

5.9.2 Establish proficiency skills development and training for employees handling personal data to ensure protection of personal data. Trainings in data privacy and information security policies and procedures should be part of the on-boarding process for new employees handling personal data.

5.9.3 Employees, service providers and other third parties who have access to personal data not intended for public disclosure shall be required to hold personal data under strict confidentiality even after termination of employment or contractual relations. This requirement shall be enforced through confidentiality agreements or confidentiality clauses in service agreements.

5.9.4 Information security measures shall be adopted. In this regard, information security management policies are deemed incorporated in this policy.

5.10 Outsourcing. The Company shall ensure the protection of personal data when outsourcing activities that involve processing of personal data. Among the measures that can be undertaken to ensure data protection by contractors or service providers are the following:

5.10.1 Set appropriate privacy and security standards (organizational, physical and technical measures) to be complied by contractors or service providers when processing personal data.

5.10.2 Take into account in the accreditation, hiring and performance evaluation processes the capability of contractors or service providers to meet the privacy and security standards set by the company.

5.10.3 Embed privacy requirements, security standards, data breach management protocol and the right of the company to audit compliance with the foregoing requirements in the agreements with contractors or service providers.

5.10.4 Conduct compliance audits where appropriate.

6.0 PERSONAL DATA BREACH MANAGEMENT

6.1 As part of its information security management system, the Company shall establish detective controls (which, depending on a company’s risk profile, may be a combination of process, human capital, physical and technological controls) to detect potential or actual security incidents or data breaches as well as complaints, non-compliances or misconducts relating to privacy and data protection.

6.2 The Company shall establish and implement a security incident management policy, which shall include the following:

6.2.1 Creation of a data breach response team to ensure that timely and appropriate action is taken in the event of a security incident or personal data breach.

<p>Document Title:</p> <h1 style="margin: 0;">AEV Data Privacy Policy</h1>	<p>Document No.:</p> <p style="text-align: center;">GCT-PL-010</p>
	<p>Version:</p> <p style="text-align: center;">1</p>
	<p>Page:</p> <p style="text-align: center;">7 of 7</p>

6.2.2 Implementation of an incident response procedure including the execution of corrective actions and controls to:

- 6.2.2.1 Contain or mitigate the negative effect of a security incident, data breach, complaint, non-compliance or misconduct;
- 6.2.2.2 Restore integrity to the information and communications system; and
- 6.2.2.3 Improve prevention and detection of future incidents.
- 6.2.3 The conduct of internal investigation to understand the facts, circumstances, root causes and appropriate resolution.
- 6.2.4 The procedure for contacting law enforcement authorities in case possible criminal acts were committed.
- 6.2.5 Compliance with the notification and reporting requirements of the National Privacy Commission in the event of occurrence of personal data breach or security incident.

7.0 REGISTRATION AND OTHER COMPLIANCE REQUIREMENTS

7.1 Registration of Data Processing System.

7.1.1 The Company is required to register its personal data processing system with the National Privacy Commission if it has at least two hundred fifty (250) employees.

7.1.2 Even if it has less than two hundred fifty (250) employees, it may nevertheless be required to register its personal data processing system with National Privacy Commission if it carries out processing that:

- 7.1.2.1 Involves the sensitive personal information of at least one thousand (1,000) individuals;
- 7.1.2.2 Is likely to pose a risk to the rights and freedom of data subject; or
- 7.1.2.3 Is not occasional.

7.2 Notification of Automated Processing System. The Company is required to notify the National Privacy Commission if:

- 7.2.1 It carries out automated data processing which becomes the company's sole basis for decision making about a data subject, and
- 7.2.2 The decision would significantly affect the data subject.

7.3 Annual Report. A general summary of the security incidents and data breaches hereof shall be submitted to the National Privacy Commission annually in accordance with its rules.

8.0 DISCIPLINARY ACTIONS

8.1 Violations of this policy, the Data Privacy Act and its Implementing Rules and Regulations, including data breaches, will be dealt with in accordance with an established disciplinary action and appropriate responses for potential legal actions, including civil and criminal actions.

REVISION HISTORY

Version	Description of Changes	Effective Date
1	First Issue	March 23, 2017