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1. Purpose

Establish control guidelines that facilitate timely and proper fulfillment of the Rights to Access, Rectification, Cancellation, Opposition, Limitation of Processing and Portability (ARCOP).

2. Scope

Applicable to all personnel part of Grupo Aeroméxico (GAM) involved in Processing Personal Data as part of their duties and responsibilities.

3. Effective Date

Effective as of August 2, 2021.

4. References

- Federal Law for the Protection of Personal Data in Possession of Private Parties (LFPDPPP), published in the Federation Official Gazette on July 5, 2010, which became effective on July 6, 2010.
- Regulation for the Federal Law for the Protection of Personal Data in Possession of Private Parties (RLFPDPPP), published in the Federation Official Gazette on December 21, 2011, and became effective on December 22, 2011.
- General Data Protection Regulation (GDPR), by the European Parliament and the Council, published on April 27, 2016, which became effective on May 25, 2018 (Articles 19 and 20).

5. Definitions

Processing Areas: Departments that as part of their operations obtain, use, disclose, or store Personal Data using different means. Use involves any action related to access, handling, use, transfer, or disposal of Personal Data.

Privacy Notice or Policy: A document in physical, electronic, or any other format, generated by the Responsible Party (i.e. GAM), which is made available to the Data Owner, prior to Processing their Personal Data, in accordance with Article 15 of LFPDPPP.

Corporate Privacy Director: The highest authority at GAM, in terms of Personal Data Protection. Responsible for promoting compliance with personal data protection legislation, as well as protection of Personal Data within GAM.

Personal Data: Any information concerning an identified or identifiable natural person.

ARCOP Rights: Rights the Data Owner may exercise in relation to Processing of their Personal Data. Each acronym stands for a different right, as follows: Access, Rectification, Cancellation, Opposition, Limitation of processing and Portability.

Right to Access: A Data Owner has the right to request and obtain information regarding their Personal Data subject to Processing by the controller, as well as on transfers taking place or expected to take place with such data.

Right to Cancellation: A Data Owner has the right to request and obtain cancellation of their Personal Data when Processing thereof does not comply with LFPDPPP provisions, or when the data is no longer necessary or relevant for the purposes for which it was collected or recorded by the database manager.

Right to Opposition: Declaration of Data Owner's will, who makes it known to the responsible party or controller, that their Personal Data no longer be subjected to particular Processing.

Right to Rectification: A Personal Data Owner has the right to request and obtain rectification of their inaccurate or incomplete Personal Data submitted to Processing by the responsible party or controller.


Right to Limitation of Processing: Marking of retained personal data in order to limit future processing.

Right to Portability: A Personal Data Owner has the right to request that their Personal Data be transmitted directly from a responsible party or controller to another responsible party or controller when technically possible to do so (applicable to European citizens).

Responsible Processor: An individual or legal person who alone or in conjunction with others, processes Personal Data on behalf of GAM.

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Structured Format: Information where relationship between the different elements is made explicit by the way in which data is stored. Most common formats to structure represented information include XML, CSV, and JSON.

GDPR General Data Protection Regulation (general regulation for data protection).

Automated Means: Information systems processing Personal Data automatically and without manual intervention.

Privacy Officer (PO): The individual designated by each GAM company to comply with activities conducted towards protection of Personal Data within the company.

Supplier: A person or company supplying or providing goods or services for proper functioning of business operations.

Responsible Party: A private individual or legal entity that decides on Processing of Personal Data, in this case, for GAM's companies.

Processing: Pursuant to LFPDPPP, the collection, use, disclosure or storage of Personal Data by any means. Use includes any action involving access, handling, use, exploitation, transfer or deletion of Personal Data.

Owner: The natural person to whom Personal Data belongs.

6. Responsible

The Corporate Privacy Director, in collaboration with Privacy Officers and the Council for Protection of Personal Data (CPPD), is responsible for keeping this policy up to date and encouraging its full compliance.

7. Documents

Procedures Attention to ARCOP Rights.

Supplier Assessment Policy.

Personal Data Processing Procedures

8. Restrictions

Not applicable.

9. Penalties

Failure to comply with the provisions contained in the policies herein may result in administrative, legal or labor sanctions, to be determined by the Executive Vice Presidency of Human Resources and the Vice Presidency of Legal and Labor Relations.

10 Policy

GAM's policy is to ensure Data Owners exercise of their ARCOP Rights, in compliance with LFPDPPP and GDPR provisions.

10.1 General Policies


To address ARCOP rights, the following aspects shall be taken into consideration:

- The Privacy Officer ensures that Data Owners may exercise their rights at not charge. Nonetheless, costs shall be considered in those cases detailed in section 10.9 Costs Related to Requests.
- Formats addressing ARCOP rights shall be reviewed and approved by the Privacy Officer and made available to Owners on previously authorized media.
- Analysis and response in accordance with established formats of requests, will be under the charge of the Privacy Officer with the support of the Legal Compliance Department.
- In the event that a request for ARCOP Rights is admissible, it will be forwarded by the Privacy Officer to Processing Areas for execution.
- Privacy Officers shall maintain an ARCOP Rights Request Control Log, in Excel format, to document follow-up of Data Owner requests. The document must include the following fields:
 - Request file number

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- Date request was received
 - Type of request (Access, Rectification, Cancellation, Opposition, Limitation of Processing or Portability)
 - Type of Owner making request
 - Owner requirements regarding personal data
 - Date request was addressed
 - Request status
 - Date of resolution (if admissible)
 - Description of resolution (if admissible)
 - Evidence of execution of the request (if admissible)
- The Technological Development Department shall maintain an updated Inventory of Applications processing Personal Data.
 - Rights to Limitation of Processing and Portability may be exercised exclusively by European citizens. Exercise of the Right to Limitation of Processing may be carried out provided that the Right of Rectification or Opposition has been previously exercised, by the Data Owner (a European citizen).
 - GAM shall collaborate with Data Processors and/or Processing Providers to address the rights of Owners, and this must be included in the contract in accordance with the provisions of the Policy for Assessment of Providers.


10.2 Addressing Requests for ARCOP Rights

To address requests, the following aspects shall be taken into consideration:

- An ARCOP request can only be executed by the Data Owner or their legal representative. Likewise, the following must be considered:
 - For minors, exercise of ARCOP Rights must be made by the minor's parent or guardian.
 - In case of persons who are in a state of interdiction or disability as established by law, they shall be subject to the rules of representation provided in the Federal Civil Code.
- An ARCOP Rights request form must contain the following requirements:
 - Owner full name and address (or other means to communicate responses to the request).
 - A valid document proving Owner identity (official INE ID card, valid passport, military service card, professional card, immigration document, or other similar identification document).
 - In the case of minors, in addition to father, mother, or guardian accreditation, copy of the minor's birth certificate including parent name must be submitted. To validate the guardian, a certified copy of the guardianship act or an executed guardianship or parental authority sentence must be attached to prove representation.
 - Clear and precise description of the data to which the right is to be exercised.
 - Some element supporting location of Personal Data.
 - In case of rectification of information, include changes and necessary documentation to support such change.
- In the event that the Data Owner submits a free-format request, it will be valid and therefore, must be honored, provided the request complies with the following:
 - Detail on identity of the Data Owner, their legal representative or identity of the parent or guardian.
 - If it is submitted by the legal representative, existence of the representation, by means of a public instrument or power of attorney signed before two witnesses, or a declaration in personal appearance of the Data Owner.
 - Clear and precise description of the data to which the right will be exercised.

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- Requests for ARCOP rights shall be received as follows:
 - By email: using the email addresses that have been set up for such purpose (Review information in Procedures to Address ARCOP Rights)
- In the event that requirements are not met in an email request over ARCOP rights, the following responses apply, asking to include the following information from the Owner or legal representative, as the case may be:
 - Owner:
 1. A form of ID, scanned, both sides
 2. Request to exercise ARCOP rights, in established format, previously completed
 3. Supporting documentation, in the case of the right to Rectification
 - Legal Representative:
 1. Official form of ID scanned on both sides for the Data Owner and the legal representative
 2. Request to exercise ARCOP rights, in established format, previously completed
 3. A legal representation letter or power of attorney signed by the Owner and two witnesses (scanned)
 4. Supporting documentation, in the case of the right to Rectification
- Documents that are authorized as supporting material in the case of Rectification requests, include the following:
 - Name changes: support documentation includes the document submitted to credit Owner identification
 - Address changes: Proof of residence, no more than three months old, as per date of application (telephone company, property tax, water or light bill).
 - Changes in health status: medical support documents to confirm this
 - Change in assets situation. Bank statement cover page
 - Changes in marital status: Civil registry record
 - Other information: Any other document supporting the origin of the requested change


10.3 Analyzing Requests

For purposes analyzing requests, the following shall be taken into consideration:

- The Privacy Officer shall identify Processing Areas and send requests via email to investigate within their areas if Processing is given to the data indicated by Owner.
- Processing Areas shall prioritize requests as they are received. Once a request is received, an acknowledgement of receipt must be sent to the Privacy Officer and investigation proceeds on Personal Data Processing, not exceeding stipulated times, for any case or reason.
- Processing Areas shall inform the Privacy Officer on the existence or lack thereof, of Personal Data for the Owner.
- Upon response from Processing Areas, the Privacy Officer shall analyze if the request is admissible.
- The Privacy Officer must be aware of applicable regulations and corresponding national and international legislation (for cases of transferred Personal Data), to know which cases may be denied information and have exact knowledge to support it.
- A request may be denied as long as there is a justification for such resolution (See section 10.6 Denial of information to the Data Owner).
- Cancellation of the Owner's data may be applied when the data is not mandatory for the provision of GAM service. Likewise, cancellation will proceed when there is no legal provision preventing this and as long as none of the following assumptions occur:

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- Reference to a private, social or administrative contract, necessary for its development and compliance
 - Processed for legal reasons
 - Obstructs legal or administrative proceedings related to tax obligations, investigation and prosecution of crimes or updating administrative sanctions.
 - Necessary to protect the legal interests of the Data Owner.
 - Necessary to comply with an obligation legally acquired by the Owner
 - Subject to Processing for prevention or for medical diagnosis or management of health services, provided that such Processing is carried out by a health professional subject to a duty of secrecy.
- The Privacy Officer shall respond to the Owner on the merits of the request through the options stated in the request and using the format, Resolution of ARCOP Rights.

10.4 Executing Requests

Execution of requests shall be conducted as per the following:

- The Privacy Officer must pass on via email the request to Processing where the request applies for execution. Upon execution, evidence shall be prepared of the execution.
- Processing Areas must ensure execution of the appropriate requests within timeframes defined in section 10.5 Timeframes for Attention and Response. Likewise, they must inform the Processors so they execute the request within established deadlines, using the Notification to Processors form, as well as follow up on the execution and request evidence.
- Processing Areas must collect the evidence and send it to the Privacy Officer for registration and safekeeping, once the request has been executed.
- The Internal Audit area must prepare a report on the operational effectiveness of the universe of ARCOP requests handled.
- Execution of the Right of Access shall be deemed fulfilled when the Personal Data is made available to the Owner on site, in accordance with established deadlines; or by issuing simple copies, electronic documents or any other means determined by GAM (Review ARCOP Rights Attention Procedure).


10.5 Timeframes for Attention and Response

To respond to requests, the following aspects shall be considered:

- Reception of requests is available from Monday to Friday from 9:00 a 18:00 hrs. Requests that are received outside of these scheduled times shall be regarded as requests for the following business day.
- The timeframe to respond to an ARCOP Rights request, will be counted from the next day when the request is received.
- In the event that ARCOP Rights requests are received on non-business days or hours, the count will start from the next business day.
- Once an ARCOP Rights request has been received, the Privacy Officer must deliver an acknowledgement of receipt for the request (using the ARCOP Rights Notification form), to inform the Data Owner that their request has been received, considering the means for how it was received.
- The Privacy Officer shall inform the Data Owner of the request's origin within a maximum period of twenty working days, counted from the date on which the request was received. This term may be interrupted in the following cases:

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- Information provided by the Owner in the request is insufficient.
 - Documents proving the identity or legal representation of the Owner are not provided.
 - For rectifications, documents supporting the change are illegible or not in force.
- In any of the above mentioned cases, the Privacy Officer may request the Data Owner, once and within **five business days** after receiving the request, to provide the elements or documents required to process it. The Owner then has **ten business days** to respond to the request for information, counted as of the next business day when it was received, and in the event that it does so, the period of **twenty business days** to respond will begin to run again as of the following business day when the elements and/or supporting documents are received. If the request is not complied with, the request will be considered as "Not filed".
 - In case the request is approved, it shall become effective within a maximum period of fifteen business days following the date when the response is communicated to the Data Owner.
 - For cases of Right of Access on site, the Privacy Officer shall determine the period for the Data Owner to gain access to their Personal Data, which shall be no less than **15 business days**. If the Data Owner does not come forth within that period, they will have to submit a new request.
 - The Privacy Officer shall send the information via the means stated in the request or indicate to the Data Owner the date and time for them to go to corresponding GAM company facilities, or give them the option of contacting the corresponding Privacy Officer by telephone in order to make an appointment.
 - The aforementioned terms may be extended only once for an equal period, provided that the circumstances of the case so justify and the Owner is informed within previously established timeframes.


10.6 Denial of Information to the Data Owner

The following aspects shall be considered when a request comes in:

- Access to Personal Data may be denied, or, as the case may be, rectified, canceled or opposed to the processing of said data, in the following situations:
 - If the request does not come from the Owner of the Personal Data, or if their legal representative is not duly accredited for such purpose; or when the Data Owner cannot be accredited with official documents.
 - If GAM's databases do not contain the Personal Data belonging to the Owner.
 - If the rights of a third party are violated.
 - In the case of a legal impediment, or resolution of a competent authority, which restricts access to the Personal Data, or does not allow for rectification, cancellation or opposition of the Data.
 - In instances where rectification, cancellation, or opposition has been previously made.
 - In situations where sensitive Personal Data is requested and the Data Owner does not have documents fully identifying them as the requesting party.
- In all abovementioned situations, the reasons for not addressing or executing ARCO rights requests shall be clearly justified and the Data Owner must be informed of the reason for denial and provided with documentation supporting this. The denial referred to in the abovementioned sections may be partial, in which case access, rectification, cancellation or opposition of the Personal Data referenced by the Data Owner may become effective.

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- In all abovementioned situations, the Privacy Officer must inform the reason for denial to the Data Owner, their legal representative or parent or guardian, within timeframes established for such purpose, by the same means where the request was submitted, including, where appropriate, relevant evidence.

10.7 Attention to the Rights to Limitation of Processing

To address this particular right to limit processing, the following aspects shall be taken into consideration:

- Upon receiving a request, same procedures as for other rights shall apply, in terms of:
 - Receiving requests
 - Analyzing responses to ARCOP rights requests
 - Applying response times
 - Executing requests
- Validation that the Data Owner has previously exercised their Right of Rectification or Opposition is required.
- Limitation of Processing may only be requested when the Owner is a European citizen in the following cases:
 - The Owner contests the accuracy of the Personal Data, for a period of time that allows the Responsible Party to verify the accuracy of the Personal Data;
 - Processing is unlawful and the Data Owner objects to deleting Personal Data and requests instead limitation of use;
 - The Responsible Party no longer needs the Personal Data for the purposes of Processing, but the Owner needs it for formulation, exercise, or defense of claims;
 - The Data Owner objects to Processing pursuant to Article 21, section 1, while verification takes place on whether the legitimate reasons of the Responsible Party prevail over those of the Owner.
- GAM may use some method for Limitation of Processing such as preventing access of users to selected Personal Data, temporarily remove data published on the Internet managed by GAM, temporarily transfer selected data to another system (file) of Processing, clearly indicate in the automated file that Processing of data is limited, among others.
- GAM must inform each of the Responsible Parties who have communicated Personal Data, of Limitation of Processing, unless it is impossible or a disproportionate effort is required.

In the event that the same person repeats their request in a period of less than twelve months, a fee will be charged to the Holder, which shall not exceed three days of the General Minimum Wage in force in Mexico City, unless there are substantial modifications to the Privacy Notice that cause new consultations.


10.8 Attention to the Rights to Portability

To address this particular right, the following aspects shall be taken into consideration:

- Upon receiving a request, same procedures as for other rights shall apply, in terms of:
 - Receiving requests
 - Analyzing responses to ARCOP rights requests
 - Applying response times
 - Executing requests

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- Portability may only be requested when the Owner is a European citizen in the following cases when Processing is:
 - Based on lawful consent for one or more specific purposes,
 - Based on explicit consent for one or more specific purposes, or,
 - Necessary for execution of a contract and,
 - When processing is carried out by automated means.

Therefore, only processed data obtained under the consent of the Data Owner or under contract will be eligible to the Right for Portability.

- To be applied for processing necessary in the public interest or in the exercise of public powers vested in the Party Responsible for Processing
- Exercise of this right shall not adversely impact the rights and freedoms of others
- For execution of this right, the deadline may be extended by a further two months depending on the complexity and number of requests. The Privacy Officer must inform the Data Owner of the extension within one month of receipt of the request, stating reasons for the extension.
- The Processing Area must provide the Personal Data in a Structured Format, commonly used, machine-readable and interoperable, some of the formats that can be used include XML, CSV, JSON files, among others.
- The Processing Area must ensure that the information is structured, allowing systems used to exercise this right to extract specific elements of the data and allow others to make use of them (machine readable).
- If the Owner so requests, data will be transmitted directly to another Responsible Party whenever technically possible, since GAM's Processing Areas are not obligated to adopt or maintain processing systems that are technically compatible with those of other Data Controllers.
- Areas of Technological Development or E-Commerce are responsible for defining the processes, systems, and mechanisms involved, to execute the Right, taking into account technical conditions and cost.

10.9 Costs Related to Requests

The delivery of Personal Data shall be free of charge, only expenses related to the following will be charged:

- Sending information to the Data Owner, in case the means of contact represents a cost for GAM.
- Costs relating to reproduction of copies of the Personal Data, at the request of the Owner
- In case the same person repeats their request in a period of less than twelve months, a fee will be charged to the Owner, which shall not exceed three days of the General Minimum Wage in force in Mexico City, unless there are substantial modifications to the Privacy Notice that cause new consultations.