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1. Purpose

Establish the principles and guidelines to be followed in Processing (collection, use, disclosure, or storage) Transfer, Remission, and necessary, adequate, and relevant monitoring of Personal Data, both in physical and electronic media, as well as Consent from Owners and Minors to fulfill the purposes described in the Privacy Notice, in compliance with national and international regulations for the protection of Personal Data.

2. Scope

Applicable to all personnel part of Grupo Aeroméxico (GAM) involved in Processing Personal Data as part of their duties and responsibilities, processing personal data on behalf of GAM.

3. Effective Date

Effective as of August 2, 2021 and supersedes the following guidelines on Personal Data Protection: Personal Data Collection (A_PO_GADP_02). Personal Data Use (A_PO_GADP_03). Personal Data Transfers and Remittances (A_PO_GADP_08). Processing Personal Data through Automated Means (A_PO_GADP_11). Continuous Monitoring of Personal Data (POGAM-DP-09).

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.
- Legislation for Personal Data Protection Law No. 29733, published in Lima on June 21, 2011, in the Official El Peruano Gazette (Legislation No. 29733), and became effective thirty working days after publication of the Regulation.
- Regulation D.S.003-2013-JUS published in the Official El Peruano Gazette on March 21, 2013, and became effective 30 working days after publication (Regulation for Law No. 29733) .
- Council of Europe Convention No. 108. Issued by INAI on April 22, 2018, and published in the Federation Official Gazette on June 12, 2018.

5. Definitions

The following section includes descriptions of a number of relevant concepts required for wider understanding of the policy herein, to be used in the regulatory document. These concepts may be understood in singular or plural, indistinctly.

Processing Areas: internal working teams at GAM companies that obtain, use, disclose, or store Personal Data using different means.

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 and Article 13 of the Regulation for Legislation No. 29733 titled Privacy Policy.


Data Base: A structured format that enables organization and maintenance of information that is easily recovered. Examples of what are considered simple data bases include tables and worksheets.

European Union Commission: Executive and legislative initiative body over the European Parliament and the Council of the European Union.

Consent: Declaration of the will from Owners of data, whereby Processing of said data is carried out; depending on the type of data, consent is required.

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Express Consent: Express consent takes place when the will of Owners is expressed verbally and unequivocally, in writing, by electronic or optical means, through recordings, or any other technology or unequivocal signs.

Tacit Consent: Consent becomes tacit when, having made the Privacy Notice or Policy available to the Data owner, the latter does not express any form of opposition or rejection to processing. As per regulations in Legislation No. 29733, Tacit Consent is not admissible.

Cookies: A small text file stored in browsers upon viewing a web page.

Personal Data: Any information concerning an identified or identifiable natural person. For example: full name, age, telephone number, email, signature, photograph, national ID card, among others.

Financial Personal Data: Information referring to amounts of capital owned by an individual. For example: bank card number, account statement, monthly salary, among others.

Patrimonial Personal Data: Any information that evidences possession and ownership of personal assets. For example: possession of cars, goods in the name of data owner, real estate in the name of data owner, among others.

Sensitive / Special Personal Data: Personal Data impacting the most intimate realm of the Data Owner, or whose improper use may give rise to discrimination or entail serious risk to the Owner. Particularly, sensitive data include information that may reveal aspects including racial or ethnic origin, present and future health status, genetic information, religious, philosophical and moral beliefs, union membership, political opinions, or sexual preference.

Legislation No. 29733 defines them as Personal Data consisting of biometric data which by themselves can identify the Data Owner; data referring to racial and ethnic origin; income; political, religious, philosophical or moral opinions or convictions; union membership; and information related to health or sex life.

Adequacy Decision: Resolution adopted by the Commission ensuring that Transfer of Personal Data incorporates an adequate level of protection.

ARCOP Rights: Rights the Data Owner may exercise in relation to Processing their Personal Data. Each acronym stands for a different right, as follows: Access (information), Rectification (update and inclusion), Cancellation (deletion), Opposition and Portability, the latter in accordance with GDPR.

DGNPDP or ANPDP: The General Direction for the Protection of Personal Data is the entity in charge of exercising National Authority for the Protection of Personal Data referred to in Article 32 of Law No. 29733, and either of these names may be used indistinctly to guarantee protection of personal data in Peru.

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.

DPIA: Data Protection Impact Assessment (Evaluación de Impacto de Datos Personales).

Profiling: Any form of automated Processing of Personal Data consisting of using Personal Data to evaluate certain personal aspects of a natural person, in particular to analyze or predict aspects relating to the professional performance, economic situation, health, personal preferences, interests, reliability, behavior, location or movements of such natural person.

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


Cross-Border Flow of Personal Data for Legislation No. 29733: International transfer of Personal Data to a recipient located in a country other than the country of origin of the Personal Data, regardless of the medium on which the Personal Data is stored, the means by which the Transfer was made, or the Processing it receives.

Structured Format: A set of data that can be easily sorted and processed by most software systems.

Sources of Public Access: Databases that may be consulted by any person, without any requirement other than, if applicable, payment of a fee, in accordance with provisions of LFPDPPP regulations.

Sources of Public Access may be:

- Telephone directories under the terms provided in specific regulations.
- Newspapers, gazettes, and/or official bulletins.
- Mass media, such as television, press, radio, among others.

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Remote or local means of electronic, optical and other technology communication shall not be characterized as Sources of Public Access, unless communications take place by the aforementioned means.

Additionally, for Legislation No. 29733, the following are Sources of Public Access:

- Lists of people who belong to professional groups containing data including name, title, profession, activity, academic degree, mailing address, telephone number, fax number, e-mail address and those establishing their belonging to the group. In the case of professional associations, the following data for their members may also be indicated: membership number, date of incorporation and professional status in relation to the professional practice.
- Case law directories, duly anonymized.
- Public Registries managed by the National Superintendence of Public Registries - SUNARP, as well as any other registry or database qualified as public according to law.
- Public Administration entities, in relation to information that must be delivered in application of Legislation No. 27806, Law of Transparency and Access to Public Information.

GDPR General Personal Data Protection Regulation (in English)

INAI: Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales (INAI), Mexico's autonomous constitutional entity guaranteeing the protection of Personal Data in Mexico.

Information: Set of data intended for the creation of knowledge or generation of value.

Interoperable: Property of a system to connect and exchange data with other hardware and software systems.

Security Measures: Technical and organizational measures guaranteeing confidentiality, integrity and availability of the information.

Automated Means: Information systems processing personal data automatically and without manual intervention.

Minors: Any individual under the age of 18.

Binding Corporate Rules: Data protection policies assumed by a corporate group or a union of companies engaged in a particular economic activity.

Direct Collection of Personal Data: When Personal Data is obtained directly from the Owner by any electronic, optical, sound, visual, or any other technology.

Indirect Collection of Personal Data: When Personal Data is obtained through a publicly accessible source, or through a Transfer.

Personal Collection of Personal Data: When Personal Data is obtained with the physical presence of both the Controller, or the person designated by the Controller, and the Owner.

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

Privacy: The right of individuals to determine when, how and to what extent their Personal Information will be disclosed.

Remission: Communication of Personal Data between the Responsible Party and the Responsible Processor, within or beyond Mexican territory.

Responsible Party: A private individual or legal entity that decides on Processing of Personal Data, in this case, for GAM's companies, even if not in a personal data bank.

Third-Party: The individual or legal entity, national or foreign, other than the Data Owner or the Data Controller.


Owner: The natural person to whom Personal Data belongs.

Transfer: Any communication of data to a person other than the Data Controller or Data Processor.

Cross-border Transfer for GDPR: Transfer of Personal Data to Processors, countries or international organizations not established in the European Union.

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.

Personal Data Use: Referring to opening, modifying, printing, forwarding, reading, deleting or performing any other action with Personal Data.

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Security Breach: Loss, destruction, theft, copy, use, access, processing, damage, alteration or unauthorized modification of Personal Data

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

Policy on Attention to ARCOP Rights (A_PO_GADP_01).
Policy for Areas Processing Personal Data (POGAM-DP-10).
Policy on Retention, Blocking and Deletion of Personal Data (POGAM-DP-04).
Policy for Privacy Notice Administration (A_PO_GADP_07).
Policy for Personal Data Classification (POGAM-DP-05).
Policy for Personal Data Security Breach Management (POGAM-DP-06).
Supplier Evaluation Policy (A_PO_GADP_13).
Regulatory Policy for Systems Acquisition, Development and Maintenance (S_PO_GATI_11).
Regulatory Policy for the Use of Social Networks (S_PO_GATI_18).
Policy for Corporate Information Security (S_PO_GATI_25).

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

Grupo Aeroméxico's policy is to treat Personal Data in accordance with the principles of protection of Personal Data and Privacy, obtaining them in a lawful and legal manner by securing Consent from the Owner; to use, transfer, forward, store, process and monitor them appropriately and only for the purposes described in the Privacy Policy or Notice in accordance with national and international Privacy regulations.


10.1 Principles of Protection of Personal Data

Collection and use of Personal Data from owners must be carried out following the protection principles established by the LFPDPPP, Legislation N°29733, the GDPR, and are as follows:

- **Legitimacy:** collection of Personal Data must not take place through deceitful or fraudulent means.
- **Consent:** The Responsible Party must obtain Consent for Processing, excluding the exceptions provided for in the LFPDPPP and Legislation No. 29733. The request for Consent must refer to a specific purpose or purposes, as set forth in the Privacy Policy or Notice. When Personal Data is obtained personally or directly from the Owner, Consent must take place prior to processing.
- **Quality:** The principle of quality is complied with when Personal Data processing is accurate, complete, pertinent, correct, and updated as required to meet the purpose for which the data is processed.

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- Purpose: Personal data processing shall be limited to the fulfillment of purposes set forth in the Privacy Notice. If the Controller intends to process data for a different purpose that is not compatible or analogous to purposes set forth in the Privacy Notice, Owner consent shall be required again.
- Loyalty: In all Personal Data Processing, the presumption is that there is a reasonable expectation of Privacy, understood as trust placed by any person in another, as to the fact that Personal Data provided between them will be processed in accordance with what has been agreed by the parties under the terms established by the LFPDPPP and Legislation No. 29733.
- Proportionality: Only Personal Data that is necessary, adequate and relevant related to the purposes for which they have been obtained, may be processed.
- Responsibility: The Controller has the obligation to ensure and be responsible for Processing Personal Data under its custody or possession, or what has been communicated to a Processor, regardless of location within Mexican territory. The Controller shall adopt measures to guarantee due treatment, prioritizing Owner interests and the reasonable expectation of Privacy.

Collection and use of Personal Data from European citizens and Minors must be carried out following privacy principles established by the GDPR as follows:

- Legitimacy: collection of Personal Data from Minors must not take place through deceitful or fraudulent means, and shall be clear and explicit, at all times
- Purpose: Data must be collected for specified, explicit, and legitimate purposes and not further processed in a manner incompatible with said purposes. An exception is Processing for archiving purposes in the public interest, for scientific and historical research or statistical purposes, not considered incompatible with initial purposes.
- Minimization: Data must be adequate, relevant and limited to what is necessary in relation to purposes for which they are processed.
- Accuracy: Data is updated without delay with respect to the purposes for which said data is processed, reasonable steps must be taken to ensure that inaccurate data is deleted or rectified.
- Limitation of retention period: Data is kept in a manner allowing for detection of Data owners in a period no longer than is necessary for the purposes for which they are processed.
- Integrity and confidentiality: Appropriate technical and organizational measures must be implemented to protect data against unauthorized or unlawful processing and against accidental loss, destruction or damage.
- Proactive accountability: Processing responsible party must be able to demonstrate compliance with all processing principles.

Compliance with principles shall be fundamental for all Processing of Personal Data related to Minors. In addition to the aforementioned, for Legislation No. 29733, the collection of Personal Data must be carried out in accordance with following the following principles:


- Purpose: Personal Data belonging to our users shall be collected for a specific, explicit and lawful purposes, and not be extended to any other purposes that have not been unequivocally established as such, at the time of collection.
- Security: Data shall be kept in such a way that ensures security and only for the time necessary to fulfill the purpose of processing.
- Adequate level of protection: For Cross-border Flow of Personal Data, a sufficient level of protection must be guaranteed for Personal Data to be processed or, at least, comparable to the provisions of this Law or to international standards on the matter.

10.2 Personal Data Collection and Consent of Owners and Minors for Processing

For purposes of collecting Personal Data, the following aspects shall be taken into consideration:

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- The Privacy Notice shall be made available, visible, or recorded for adequate reviewing by Owners, stating aspects of collection, including some of the following:
 - Actual physical tickets and cargo points of sale
 - Aeromexico and GAM companies website
 - Aeromexico and GAM companies mobile applications
 - Forms to obtain personal data.
 - Call Center
 - Customer Service
 - Entrance to GAM facilities
 - Recruitment process, selection and hiring of personnel
 - Baggage claims
- Any information communicated to the Owner or Minors must be written clearly, using simple, structured and easy-to-understand language, where the Use of Personal Data and related rights to which they are entitled, are easily understood.
- A legal basis for Processing of Personal Data belonging to Owners, minors included, must be established.
- Procedures shall be established and maintained to evaluate and document legal basis for Processing of Personal Data, for each of the processes identified in the Personal Data Inventory (REQ. GDPR. Legislation No. 29733 and Regulation of Legislation No. 29733).
- Certain legal bases that may be established include:
 - Consent: when the Owner has granted Consent to the processing of their Personal Data for one or more specific purposes.
 - Legal obligation: when Processing is necessary to comply with a legal obligation as established by GDPR and Legislation N°29733.
 - Legitimate interest: where Processing is necessary for the purposes of legitimate interests on the part of GAM or a Third Party, except where such interests are overridden by the interests or fundamental freedoms and rights of the customer that require protection of their Personal Data.
- Identify the type of Personal Data to be collected to understand the type of Consent required (review Personal Data Classification Policy):
 - Personal Data: Tacit Consent is required. In the case of Legislation 29733, Tacit Consent is not valid.
 - Financial Personal Data: Express Consent is required.
 - Patrimonial Personal Data: Express Consent is required.
 - Sensitive Personal Data: Express Consent in writing is required.
 - Personal Data of Minors: Express and written consent by the parent or guardian is required (REQ. GDPR. Legislation No. 29733).
- When obtaining Personal Data that belongs to Minors, consent for the collection and Use of Personal Data must be secured from parents or guardians. The relationship or guardianship of the minor must be proven by submitting documentation to verify this, taking into account available technology and risks inherent to processing (REQ. GDPR. Legislation N° 29733).
- Personal Data collected from Minors shall be solely and exclusively those necessary to provide services, any other type of collected data must be discarded and deleted from the records in accordance with the Personal Data Retention, Blocking and Deletion Policy (REQ. GDPR, Legislation No. 29733).

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- At any time a parent or guardian has the right to revoke Consent granted for Use of Personal Data that belongs to Minors, as well as exercising the right to delete any Information collected in accordance with Policies and Procedures for Attention to ARCOP Rights.
- It is important to review exceptions to the LFPDPPP where Owner Consent is not required, which are:
 - When it is provided for in the law
 - Data contained in Sources of Public Access.
 - Personal Data subject to a previous dissociation procedure.
 - For purposes of meeting obligations arising from a legal relationship between the Owner and GAM.
 - An emergency situation that could potentially harm an individual's person or property.
 - These are indispensable for medical care, prevention, diagnosis, provision of health care, medical treatment or management of health services, as long as the Owner is not in a position to grant Consent, in the terms established by the General Health Law and other applicable legal provisions, and that such Data Processing is carried out by a person subject to professional secrecy or equivalent obligation.
 - Resolution is issued by a competent authority.
- In addition to the exceptions already mentioned, according to Legislation N°29733, consent from the Owner of Personal Data is not required, for the purposes of its processing, in the following cases:
 - When collected or transferred Personal Data is for exercising the functions of public entities within the scope of their competencies.
 - When Personal Data is related to solvency and creditworthiness, in accordance with the law.
- Parent or guardian consent is not required in the context of preventive or counseling services offered directly to Minors, such as medical and legal assistance in accordance with the GDPR.
- Personal Data from Minors may be shared with government entities and authorities for purposes of identification of the minor, as well as for national security purposes, such Information shall be shared without hindrance or obstruction, this purpose is irrevocable and has to be included in the Consent for Use of Personal Data of Minors.
- Internal GAM departments that obtain Personal Data from Owners and Minors must ensure that the corresponding Privacy Notice or Policy is made available in accordance with the means of obtaining the Personal Data:
 - Consult the Personal Data Inventory for further details of the areas performing collection of Personal Data from Owner and Minors.
- Before obtaining Personal Data or at the time of collecting it directly or personally, it is necessary to indicate Privacy Notice or Policy location or make reference to it.
- Once the Notice is displayed, Consent from the Owner must be obtained, including Minors depending on the type of data.
 - If Consent from the Owner or the minor was obtained physically, it shall be kept in a locked drawer before being sent to the specific department for safekeeping or processing. It is recommended that the area collecting the data, also becomes the area responsible for safeguarding it.
 - If Consent was obtained through any system or Aeromexico's web page or internal GAM departments, they become responsible for validating that such Consent is stored.

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- The Consent Form must be stored during the time when service for which it was obtained is provided, or at the end of the specific purposes for which it was collected, storage time must be defined by Processing Areas supported by the PO.
- Collect only Personal Data required for actual operation. For any questions regarding data or method of collection, find the PO for more information, to define involvement of the Council for Protection of Personal Data in the decision.
- If Personal Data is obtained through Sources of Public Access, the Privacy Notice or Policy must be shown at the first contact with the Owner and their Consent must be obtained.
- Verify with the PO Sources of Public Access authorized to collect Personal Data, which are authorized by the LFPDPPP:
 - Telephone directories under the terms provided for in specific regulations.
 - Newspapers, gazettes and/or official bulletins.
 - Social media, such as television, print, radio, among others.
- Prior to obtaining Personal Data through a Third Party, which makes GAM a Processor, Processing Areas must inform the Office of Vice-President of Legal and Labor Relations to formalize collection through the use of contractual clauses for the protection of data belonging to Owners and Minors. Likewise, it must be verified that said Third Party has obtained the Consent from Owners and Minors, requesting due evidence.

10.3 Regarding Minors

All Personal Data belonging to Minors shall be classified as sensitive and Security Measures shall be established according to their risk, which must be applied at the time of collection of Personal Data from the minor when using services offered directly.

Under no circumstances may data be collected from a minor to obtain information about other members of their family group, such as data related to the professional activity of their parents, economic information, sociological data or any other, without consent from the Owners of such data.

Regulation from Legislation 29733 establishes that the only reason for obtaining information and address data from parents or guardians is to obtain Consent referred to in Article 27. For flights that Minors take by themselves, with one of the parents or in the company of another adult, a notarized travel authorization, with a maximum 90 day validity, is required.


10.4 Use of Personal Data

Once Personal Data has been collected, GAM's Processing Areas must ensure that the use of such data is in accordance with GAM's operations and in conformity with the purposes for which it was collected.

- Processing Areas must ensure that Personal Data belonging to Minors is not used in a way that may lead to their exploitation, commercialization, for marketing purposes or profiling in Automated Means for marketing purposes. Exceptions may exist as long as adequate measures are in place to protect their rights, freedoms and the legitimate interests of Minors (REQ. GDPR, Regulation of Legislation No. 29733).
- The use of Cookies or web beacons in GAM's web pages must be informed of in GAM's Cookies Policy, also indicating the way that Owners can disable them, and inform the PO so that this is included in the Privacy Notice or Policy.
- Privacy by design and by default must be contemplated in system development, taking into account the rights and freedoms of Data Owners and Minors as indicated in the Regulatory Policy for Systems Acquisition, Development and Maintenance (REQ. GDPR).

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- A DPIA must be executed in accordance with the provisions of the Data Protection Impact Assessment Policy, when new projects, services or information systems arise whose Processing results in a high risk to the rights and freedoms of Minors and vulnerable groups. (REQ. GDPR).
- GAM's Processing Departments must have the following points identified within their areas:
 - Processes where Personal Data is involved.
 - Purposes for Personal Data Processing
 - Personal Data to which Processing is provided in the area.
 - Personal Data Remissions and Transfers
 - Use of Personal Data from Minors.
- Authorized personnel must be defined to access, modify and update Personal Data, by means of a set-up of minimum privileges in the Processing of Personal Data.
- Personal Data belonging to Owners and Minors shall be up to date and correct for the fulfillment of the purposes described in the Privacy Policy or Notice.
- Confidentiality must be kept for the Personal Information that GAM's Processing Areas are in charge of.
- Personal Data must be used with appropriate protection measures:
 - Locked drawers for physical documentation.
 - Password-protected files for electronic files.
 - Do not keep documentation on top of desk or workplace.
- When collected Personal Data needs to be shared with another area for use or safekeeping, protection measures are to be implemented in sending the data, such as those identified below, and in the cases where sending the data does not take place via the Information system:
 - If information is sent via e-mail, passwords must be used for electronic files or tools, to compress Information that allows passwords use.
 - Use internal messaging to send any physical Information.
- The use of data requiring subcontracting of services involving transfer of Personal Data to a Processor must be reported to the Office of the Vice-President of Legal and Labor Relations in order to formalize procurement through the use of contractual clauses on data protection.
- Information security policies for Personal Data in use, shall be consulted and applied.
- The Information Technology area shall provide tools to prevent unauthorized access and use of Personal Data.
- All information containing Personal Data shall be safeguarded in such a way as to protect it from unauthorized disclosure.
- Documents containing Personal Data are to be printed only when necessary.
- All Processing areas from GAM companies are required to collect documents containing Personal Data from customers and employees from printers immediately.
- All Personal Data must be backed up in accordance with published security policies.
- All information backed up on different media containing Personal Data must be kept in places with controls that prevent physical access.
- In the event that unauthorized Use of Personal Data is detected that may result in a Personal Data Security Breach, the PO must be informed so that necessary actions may be taken (see Personal Data Security Breach Management Policy).
- Personal Data must not be communicated by any other application (WhatsApp, Facebook Messenger, Telegram, etc.) other than the one GAM designates as the official means for the institution.

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- Security and privacy guidelines corresponding to the Use of Personal Data on social media must be carried out in accordance with provisions of the Regulatory Policy on the Use of Social Media.

10.5 Transfer and Remittance of Personal Data

10.5.1 Transferring Personal Data

For purposes of transferring Personal Data conducted by GAM Processing Areas to third parties, the following aspects shall be taken into consideration:


- Transfer of Personal Data by GAM to Third Parties, conducted in Mexican territory or through a Processor, regardless of their location on behalf of GAM, and the referrals made between GAM and the Processors, shall adhere to the provisions of this document.
- All Transfer of Personal Data, national or international, shall be subject to Owner Consent, who shall be informed by means of the Privacy Notice, excluding the exceptions set forth by national and international regulations on the protection of Personal Data.
- National or international data transfers may be carried out without Owner consent when any of the following events occur:
 - The Transfer is provided for in a Law or Treaty to which Mexico or Peru is a party.
 - The Transfer is necessary for the prevention or medical diagnosis, the provision of health care, medical processing or the management of health services.
 - The Transfer is made to controlling companies, subsidiaries or affiliates under the common control of the Responsible Party, or to a parent company or any company of the same group of the Responsible Party operating under the same internal processes and policies.
 - According to Legislation No. 29733, Transfers of Personal Data within corporate groups, affiliated or related subsidiary companies under common control of the same group of the Owner of the Personal Data bank or Controller of the processing, or to those affiliated or related to a parent company or any company of the same group of the Owner of the data bank or Controller of the processing, Processing of Personal Data is guaranteed if there is a code of conduct establishing the internal rules for the protection of Personal Data with the content provided for in article 31 of the Law, and registered as provided for in articles 89 to 97 of the regulation.
 - Transfer is necessary by virtue of a contract entered into or to be entered into in the interest of the Owner, by the Controller and a Third Party.
 - Transfer is necessary or legally required for the safeguarding of a public interest, or for procurement or administration of justice.
 - Transfer is necessary for recognition, exercise or defense of a right in a judicial process.
 - Transfer is necessary for maintenance or fulfillment of a legal relationship between the Controller and the Owner.

10.5.2 Transferring National Data

- Processing Areas from GAM companies must communicate the terms agreed in the Privacy Notice with the Owner of the Personal Data to the recipient, and the latter must process Personal Data in accordance with the terms agreed to in the Privacy Notice.
- Transfer must be formalized by means of data protection clauses generated by the Office of the Vice President of Legal and Labor Relations, control that allows to demonstrate that GAM companies communicated to the receiving Controller the conditions under which the Owner consented to the Processing of their Personal Data.

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- For Legislation No. 29733, the Transfer of national data must be formalized through mechanisms allowing to demonstrate that the Owner of the Personal Data bank or the Controller communicated to the receiving Controller those conditions under which the Personal Data Owner consented to the Processing thereof. Art.23 (Regulation from Law No. 29733).

10.5.3 Transferring International Data

- International Transfers of Personal Data are possible when the recipient assumes the same obligations corresponding to GAM companies.
- To formalize international transfers, GAM companies may use contractual clauses or other legal instruments providing at least the same obligations to which GAM companies are subject to, as well as the conditions under which the Owner consented to the Processing of their Personal Data.

10.5.4 Cross-Border Flow of Personal Data Legislation N° 29733

The Responsible Data Controller and the Processor of the Personal Data shall carry out Cross-border Flow of Personal Data only if the recipient country maintains adequate levels of protection in accordance with this Legislation. In the event that the recipient country does not have an adequate level of protection, the sender of Personal Data must ensure that Processing is carried out in accordance with the provisions of Legislation No. 29733. Should any of the following cases arise, stipulations of Legislation No. 29733 shall not be applicable to the recipient of Personal Data:

- Agreements within the framework of international treaties on the matter to which the Republic of Peru is a party.
- International legal cooperation.
- International cooperation between intelligence agencies for the fight against terrorism, illicit drug trafficking, money laundering, corruption, human trafficking and other forms of organized crime.
- When Personal Data is necessary for the execution of a contractual relationship where the Personal Data Owner is a party, including what is necessary for activities such as user authentication, service improvement and support, service quality monitoring, support for account maintenance and billing and those activities that the management of the contractual relationship requires.
- In the case of Bank or Stock Exchange Transfers, in relation to respective transactions and in accordance with applicable law.
- When Cross-border Flow of Personal Data is carried out for protection, prevention, diagnosis or medical or surgical treatment of the Owner; or when it is necessary for the performance of epidemiological or analogous studies, as long as adequate dissociation procedures are applied.
- When the Owner of the Personal Data has granted their prior, informed, express and unequivocal consent.


10.5.5 Cross-Border Flow of Personal Data

The following section refers to GDPR articles, as they relate to Cross-border Transfers:

- For GAM's companies, Cross-border Transfers shall be defined as those where Personal Data is transferred to Agents, countries or international organizations involved in the Processing of Personal Data and not established within the European Union, therefore, Consent of the Owner must be obtained prior to processing, derived from the foregoing and according to Article 45 Section 1, a level of protection and security must be guaranteed considering the risk at the time of conducting Cross-border Transfers, therefore, the Privacy Officer must consider the following list of countries, to which Cross-border Transfers may be made, because the European Union

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Commission has granted an Adequacy Decision and guarantees the protection of Personal Data. These countries include Switzerland, Canada, Argentina, Guernsey, Isle of Man, Jersey, Faroe Islands, Andorra, Israel, Uruguay, New Zealand and Japan, in accordance with the provisions of Article 45, Section 2, paragraphs a) to c) and Sections 3 to 9.

- Likewise, GAM companies are authorized to conduct Cross-border Transfers, since Mexico adheres to the Council of Europe Convention No. 108, which guarantees the rights of Owners and protection for their Personal Data, thus complying with Article 48.
- The Privacy Officer shall review and consult the Official Journal of the European Union and its website, the countries, agreements and international organizations in force regarding the protection of Personal Data, as well as identify the Cross-border Transfers made to Processors, countries or international organizations that are not established within the European Union.
- The Office of the Vice President of Legal and Labor Relations, together with the Privacy Officer, shall contemplate and consider those Cross-border Transfers to Agents, countries or international organizations that do not have an Adequacy Decision granted by the European Commission (Art. 45), which shall be required to have established guarantees relating to Personal Data protection and shall be aligned with the provisions of Article 46, Paragraph 1, 2 paragraphs a) to f), Paragraph 3 paragraphs a) and b).
- In addition, the Office of the Vice President of Legal and Labor Relations must ensure that those involved in Cross-border transfers have the Binding Corporate Rules in accordance with Article 47, Section 1, paragraphs a) to c), Section 2, paragraphs a) to n) and Section 3.
- In the absence of an Adequacy Decision, guarantees or Binding Corporate Rules, GAM companies may make Cross-border transfers as long as they take place for the following reasons established in Article 49, Section 1, paragraphs a) to g) and Sections 2 to 5:
 - The Data Owner explicitly grants their Consent, after having been informed of the risks due to the absence of adequate data protection safeguards.
 - It is necessary for exercising or defense of a certain right in a legal proceeding before authorities.
 - A Personal Data consultation is carried out, through legal public registry whose purpose is to provide information to the general public or any person, who can prove a legitimate interest and which does not imply the disclosure of all Personal Data.
 - It is necessary for the performance of a contract between the Controller and the Interested Party.
 - It is necessary for the execution of a contract in the interest of the Interested Party, between the Controller and another natural or legal person.
 - It is necessary to protect the vital interests of the Data Subject, when they are physically or legally incapable of granting their Consent.
- The Privacy Officer shall have and keep updated a record of processing activities, in accordance with the provisions of the Supplier Evaluation Policy and Article 49 Section 6 of the GDPR, and also provide necessary channels and mechanisms for the execution of ARCOP Rights requested by the Personal Data Owners, in accordance with guidelines required by the Policy of Attention to ARCOP Rights.
- Aeroméxico may conduct audit reviews of the clauses and guidelines in the contracts associated with Cross-border Transfers, to ensure that such transfers are carried out in accordance with what has been agreed.


10.5.5 Remission of Personal Data

The following points shall be taken into consideration for purposes of Remission of Personal Data.

- National and international transmissions of Personal Data between GAM companies and a Data Processor do not have to be informed to the Owner, nor is their consent necessary, as long as the

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Data Processor does not assign or use the Personal Data for purposes other than those authorized by GAM companies, already described in the Privacy Notice, or conducts a Transfer of Personal Data in breach of instructions specified by GAM companies.

- The Responsible Party shall be considered as such with obligations corresponding to a responsible party when they:
 - Assign or use personal data for a purpose other than that authorized by GAM.
 - Conduct a transfer, failing to comply with instructions from GAM companies.
- GAM shall empower Third Parties as "Processors" to carry out physical or automated Processing of Personal Data by means of a contract or an agreement stipulating the obligations it undertakes in this regard. Such Processors may be individuals or legal entities, public or private, national or foreign, countries or international organizations not located within the European Union that by themselves or jointly with others, process Personal Data on behalf of GAM's companies.
- Any outsourcing of services involving the Processing of Personal Data, as well as contracts or agreements for this purpose must be evaluated by the Corporate Privacy Director in conjunction with the Legal Department, through contractual clauses. Third Party, Agents, countries or international organizations not located within the European Union must comply with the provisions of the Law, Regulations, GDPR and other applicable regulations providing at least the same obligations that GAM is subject to.
- Each Processing Area from GAM's companies, as well as those responsible for the custody of Personal Data must implement necessary measures to ensure that the Privacy Notice disclosed to the Owner is respected at all times by those Third Parties with which they hold a legal relationship, and must also carry out necessary validations to ensure, prior to hiring the Third Party, that they have the necessary procedures to comply with LFPDPPPPP guidelines, since they must assume the same obligations regarding the Processing of Personal Data that correspond to GAM's companies.
- Each processing area from GAM's companies will maintain communication with the parties involved in the custody of Personal Data, such as Third Parties, Agents, countries or international organizations not located within the European Union that have access to Personal Data from the Owners, so that, if necessary, they may respond to any ARCOP request, in accordance with the Procedure of Attention to ARCOP Rights.


10.6 Processing Personal Data on Automated Media

Grupo Aeroméxico companies processing Personal Data in Automated Media for the purposes of direct marketing and Profiling, must obtain Consent from the Owner for the Use of Personal Data for purposes of profiling in Automated Media, in accordance with the Notice Management policy or Privacy Policy, taking the following into consideration:

- The existence of Profiling and the consequences of such profiling should be included in the Privacy Notice or Policy, as part of the purposes for the Use of Personal Data.
- Significant information about the logic applied, plus the importance and expected consequences of Processing in Automated Means for the Owner, must be included in the Privacy Notice or Policy.
- If Personal Data is obtained directly from the Owner, information must also be included on whether they are obligated to provide them and consequences in case they don't do so.
- The Owner shall have the right to object at any time, for reasons related to their particular situation, to their Personal Data being subject to Processing based on Automated Means for Profiling.
- If Personal Data is processed for direct marketing purposes, the Owner should have the right to object to such processing, which should be explicitly communicated to the Owner and clearly presented in the Privacy Notice or Policy.

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The Owner shall not have the right to object to their Personal Data being subject to Processing based on Automated Means for Profiling when:

- Data is necessary for the conclusion or execution of a contract between the Owner and GAM.
- Data is necessary to safeguard the rights and freedoms of the Owner.
- Data produces legal effects on the Owner or significantly affects them in a similar way.
- It is necessary to communicate Personal Data to authorities for national security purposes.

10.6.1 Use of Personal Data for Profiling Purposes on Automated Media

For Use of Personal Data for purposes of Automated Media Profiling within GAM company systems, the following aspects are required:


- The Council for Protection of Personal Data shall approve all processes and systems making use of automated processing of Personal Data and Profiling.
- Automated Personal Data Processing and Profiling must be carried out using a structured, commonly used, machine-readable and interoperable file format (e.g. XML, CSV, JSON).
- Profiling using Automated Means for Personal Data belonging to Minors for direct marketing purposes is prohibited.
- In addition to Personal Data obtained from the Owner, Processing Areas at GAM companies may make use of online identifiers provided by devices, applications, tools and protocols, such as IP addresses, session identifiers in the form of Cookies or others.
- Appropriate mathematical or statistical procedures shall be used for Profiling, and appropriate technical and organizational measures implemented to ensure that factors that may introduce inaccuracies in Personal Data, are corrected and the risk of error is minimized.
- When Owners object to their personal data being processed for profiling for direct marketing purposes, their data must be blocked in the master database with subsequent deletion from the records intended for that purpose, in accordance with procedures on Retention, Blocking, and Deletion of Personal Data.
- Areas that provide Processing for Profiling at GAM companies shall apply appropriate technical and organizational measures to ensure security levels appropriate to risk in accordance with provisions in the Corporate Information Security Policy (S_PO_GATI_25).
- GAM's Council for Protection of Personal Data shall continually review guidelines, recommendations, and best practices issued by the European Data Protection Board to comply with Automated Media Profiling criteria and requirements.

10.7 Continuous Compliance Monitoring

- The Audit Department shall periodically review compliance with data protection policies and procedures established within Grupo Aeroméxico.
- The Audit Department shall identify risks Personal Data may be susceptible to; and for this purpose, classification of Personal Data affecting the Owner plus the physical, technical or administrative security controls implemented, or the lack thereof, shall be taken into consideration, to establish risk level as low, medium, or high, as per below:
 - **High Risk:** High risk exists when, as a result of a lack of physical, administrative and/or technical security controls, physical or electronic Personal Data records are breached or threatened and all information classified as personal, sensitive, financial, and patrimonial is placed at risk. Consequently, attention time must be immediate.

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- **Medium Risk:** Medium risk exists when there are physical, administrative and/or technical security controls, considered as sufficient for purposes of protection of Personal Data. However, security controls have been breached and placed at risk, and physical or electronic records containing Personal, Financial and/or Patrimonial Data, damage their integrity or validity. Attention time needs be reasonable according to the degree of impact caused to the Owner. Consequently, implemented security controls must be strengthened.
- **Low Risk:** Low risk exists when there are physical, administrative and technical security controls in place, reducing threats that place the integrity of Personal Data at risk; however, a possibility exists for creating new policies and/or procedures that improve current security practices. Immediate attention is not required, as long as impact on the Owner has been estimated to be minimal or GAM is not involved in a serious breach of Personal Data protection regulations.

Importantly, estimated risk is linked to impact on Owner resulting from loss, damage, or vulnerability caused to security controls. Therefore, impact can also be classified as follows:

- **High Impact:** When breached or threatened Personal Data lends itself to discrimination or represents a risk to the physical or moral integrity of the Owner or their family members.
- **Medium Impact:** When Owner's financial and patrimonial integrity is placed at risk, without causing moral or physical harm, and the Owner's most intimate realm is not impacted in any way.
- **Low Impact:** When Owner's integrity is not harmed, but the Owner is made identifiable, and at some point, could be contacted.

Any risks and findings detected in the review shall be communicated by the Audit Department to the processing area, the DCP, and POs at each company according to the following:

- The Personal Data Processing area is responsible for developing an action plan that considers both, results of this review, as well as elements to mitigate detected risks.
- The Audit Department shall secure a remediation plan for each detected finding.
- The Department's compilation of findings and corresponding remediation plans shall be communicated to the DCP and the Council for Protection of Personal Data for follow up. This plan shall include controls initially reviewed and developed, based on detected risks.
- The DCP shall define parameters to schedule the following revision, which may be:
 - A year after initial revision
 - Once it is considered that controls have come to maturity times
 - There are changes to current legislation
- The Audit Department shall periodically review compliance with applicable laws and regulations, and contracts, and if lack of compliance is detected, this shall be documented and corrected.
- The Audit Department shall establish procedures required for periodic monitoring of the effectiveness in the monitoring system.

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