



**CRIME PREVENTION
MODEL LAW No.
20,393
MANUAL**

**Colbún S.A. and
Fundación Colbún**

October 2022



Content

1	Introduction	5
2	Objective	5
3	Scope.....	5
4	Crime Prevention Model	5
4.1	Crimes	6
4.2	Roles and Responsibilities	9
4.2.1	Board of Directors of Colbún.....	9
4.2.2	Ethics and Audit Committee.....	9
4.2.3	Management.....	9
4.2.4	Ethics Committee	10
4.2.5	Crime Prevention Officer (CPO).....	11
4.2.6	Employees, Suppliers and Contractors.....	11
4.3	Prevention Activities	11
4.3.1	Training and Dissemination	11
4.3.2	Crime Prevention Manual	12
4.3.3	Code of Ethics.....	12
4.3.4	Policies and Procedures	12
4.3.5	Financial resource management and auditing procedures	12
4.4	Detection Activities	13
4.4.1	Complaints Channel	13
4.4.2	Risk and Crime Control Matrix (RCCM).....	13
4.4.3	Compliance Audit	14
4.4.4	Litigation Review	14
4.5	Reaction Activities.....	14
4.5.1	Internal Regulations on Order, Hygiene and Safety (IROHS)	14
4.5.2	Service Contract Clauses	14
4.5.3	Employment Contract Clauses	15
5	Supervision and Monitoring	15
6	Reporting to the Ethics and Audit Committee / Colbún Boards of Directors	15
7	Certification.....	15

8	ANNEXES	16
8.1	Excerpt from the Regulations of Order, Hygiene and Safety.....	16
8.2	Clause for contracts with service providers	20
8.3	Clause for employment contracts	20

Change Control					
No.	Modifications made	Date	Performed by	Date	Reviewed by
1	CPM Update	18/05/15	J. Delis	05/18/2015 06/02/2015 06/01/2015 06/18/2015 06/23/2015 08/03/2015	F. Larraín J. Andaur J.P. Schaeffer F. Larraín J.A. Morel (CPO) R. Pérez
2	Adjustments in scope, companies, affiliates, and inclusion of Colbún Foundation. Responsibility for support areas.	30/09/15	J. Delis	10/22/2015	H. Alvarez (CPO)
3	Adjustments in the wording of section 9.2.9. Title XIX" text is eliminated. In Annex D, the inclusion of hyperlinks to three policies approved in policies approved in October 2015.	17/12/15	J. Delis	12/17/2015	H. Alvarez (CPO)
4	Improvement of the Diagram, restructuring of contents, updating of links, incorporation of the crime of receipt of stolen property	01/12/16	K. Ruiz	12/21/2016	H. Alvarez (CPO)
5	Improvement of the Diagram, restructuring of contents, updating of links, incorporation of new crimes.	03/05/19	K. Ruiz	05/08/2019	H. Alvarez (CPO)
6	The procedures and audits to financial resources and IROHS extract are incorporated, the contractual clause for service providers is modified, and clarifications are made to the wording.	07/04/20	K. Ruiz	04/30/2020 05/08/2020	H. Alvarez (CPO) Audit Committee
7	Minor modification in contractual clause for service providers.	04/06/20	H. Alvarez	06/09/2020	R. Perez; R. Carrasco; R. Goldsack; F. Larraín N. Possekkel; J. Paredes R. Pablo; A. Arriagada
8	Update IROHS Articles (Annex 8.1)	15/07/20	K. Ruiz	07/15/2020	H. Alvarez (CPO)
9	Update IROHS Articles (Annex 8.1)	06/01/21	K. Ruiz	01/06/2021	H. Alvarez (CPO)
10	The Colbún Transmission Company is not part of the scope; The catalog of crimes is updated	09/14/22	K. Ruiz	09/14/2022 10/19/2022	H. Alvarez (CPO) Ethics and Audit Committee

1 Introduction

Colbún S.A. and Fundación Colbún (hereinafter Colbún, unless otherwise expressed, any reference to Colbún includes the two entities), in compliance with the provisions of Law No. 20,393 on criminal liability of legal entities and its respective updates and/or modifications (hereinafter Law No. 20,393), has developed the Crime Prevention Model (hereinafter CPM), in order to regulate the actions of directors, employees and suppliers, to prevent the commission of applicable crimes, independently, adequately and timely managing the main risks of committing crimes and promoting a culture of prevention within Colbún.

2 Objective

The purpose of this document is to provide the necessary guidelines for the correct and timely prevention of the crimes set forth in Law No. 20,393.

3 Scope

Compliance with the CPM is mandatory for Colbún's directors, employees, and suppliers.

4 Crime Prevention Model

Colbún's CPM is a set of various tools, procedures, and activities for prevention, detection, reaction, supervision, and monitoring, which are performed on the processes or activities where the risk of committing the crimes set forth in article 1° of Law No. 20,393 is generated or increased.

The responsibility of the CPM lies on the boards of Colbún S.A. and Colbún Transmission S.A. and on the board of directors in the case of Fundación Colbún, hereinafter also referred to as the “Board of Directors of Colbún”, who in turn appoint and delegate a Crime Prevention Officer (hereinafter CPO) for their control.

The CPM implemented by Colbún considers the following elements and activities that, according to Law No. 20,393, allow compliance with the duties of management and supervision:

- a) Designation of a CPO.
- b) Definition of means and powers of the CPO.
- c) Establishment of a Crime Prevention Model.
- d) Supervision and certification of the Crime Prevention Model.

4.1 Crimes

Some of the crimes established by Law No. 20,393 are as follows:

- **Money Laundering**

It refers to any act tending to conceal or disguise the illicit origin of certain assets or to conceal or disguise these assets, knowing that they come from the perpetration of crimes related to illicit drug trafficking, terrorism, arms trafficking, and others indicated in Article 27 of Law 19,913.

In addition, it is considered money laundering whoever acquires, possesses, has, or uses the referred goods, for profit, when at the moment of receiving them he/she has known their illicit origin.

- **Bribery of National or Foreign Public Officials**

Bribery of National Public Official

This refers to the crime of giving, offering or consenting to give a national public employee a financial or other advantage, for the benefit of the employee or a third party, by reason of the employee's position and to which he/she is not entitled, or to perform or for having performed an act proper to his/her position, by reason of which he is not entitled (Article 248 of the Chilean Criminal Code) or omits or has omitted a due act proper to his office or performs or has performed an act in violation of the duties of his office (Article 248 bis of the Chilean Criminal Code) or commits certain crimes or simple offenses in the performance of his office (Article 249 of the Chilean Criminal Code).

Any undue advantage offered to or accepted by a public official may constitute a crime, without the need to prove the intention or effect of a consideration on the part of the public official.

It shall not be considered bribery to accept, give or offer official or protocol donations, or those of little economic value authorized by custom as manifestations of courtesy and good manners. The foregoing shall not apply to those offered or given to a foreign public official for omitting or performing, or for having omitted or performed an act in violation of the duties of his office.

Bribery of Foreign Public Official

Offering, promising, giving or consenting to give to a foreign public official a financial or other advantage, for the benefit of the official or of a third party, by reason of the official's position, or to omit or perform, or to have omitted or performed, an act proper to his position or in violation of the duties of his position, with the purpose of obtaining or maintaining for himself or for a third party any business or advantage in the scope of any international transactions or of an economic activity performed abroad.

- **Financing of Terrorism**

It refers to the person who, by any means, solicits, collects, or provides funds with the purpose of being used in the commission of any of the terrorist crimes indicated in Law 18,314 (article 2°). Among the crimes included in said article are, among others, the following:

- Seizing or attacking a means of public transportation in service.
- Attempt against the Head of State and other authorities.
- Unlawful association with the purpose of committing terrorist crimes.

- **Receipt of Stolen Property**

This refers to the person who, knowing its origin or should know it, has in his possession, transports, buys, sells, transforms, or commercializes in any way species originating from theft, robbery, reception, misappropriation and/or animal theft (article 456 bis A of the Chilean Criminal Code).

- **Unfair Administration**

Whoever, being in charge of safeguarding or managing the patrimony of another person, or any part thereof, causes damage to it, either by abusively exercising powers to dispose on its behalf or obligate it, or by executing or omitting any other action in a manner manifestly contrary to the interest of the owner of the affected patrimony (Article 470 No. 11 of the Chilean Criminal Code).

- **Corruption among Private Individuals**

The employee or agent who requests or accepts to receive an economic benefit or of any other nature, for himself or a third party, to favor or for having favored in the exercise of his duties the contracting with one bidder over another, shall be punished with the penalty of minor imprisonment in its medium degree and a fine of twice the amount of the benefit requested or accepted. If the benefit is of a nature other than economic, the fine shall be from fifty to five hundred monthly tax units (Article 287 bis of the Chilean Criminal Code).

Whoever gives, offers, or consents to give to an employee or agent an economic benefit or of any other nature, for himself or a third party, to favor or for having favored the contracting with one bidder over another shall be punished with the penalty of minor imprisonment in its medium degree, in the case of the benefit given or offered, or minor imprisonment in its minimum degree, in the case of the benefit consented to. In addition, he shall be punished with the fine penalties indicated in the preceding article (article 287 third of the Chilean Criminal Code).

- **Misappropriation**

To those that, to the detriment of another, appropriate or distract money, effects, or any other movable thing that they have received in deposit, commission, or administration, or by any other title that produces the obligation to deliver or return it (Article 470 No.1 of the Chilean Criminal Code).

- **Incompatible Negotiation**

The director or manager of a corporation who directly or indirectly takes an interest in any negotiation, action, contract, operation, or management involving the corporation, in breach of the conditions established by law, as well as any person to whom the rules on duties established for directors or managers of these corporations are applicable (Article 240 No.7 of the Chilean Criminal Code).

- **Water Pollution**

Anyone who, without authorization, or in contravention of their conditions or in violation of the applicable regulations, introduces or orders the introduction into the sea, river, lake or any other body of water, chemical, biological or physical pollutants that cause damage to hydrobiological resources (article 136 of the Chilean General Law on Fisheries and Aquaculture).

- **Control and possession of weapons**

It basically contemplates the possession or possession, illegal carrying and the commercialization, importation and importation into Chile of weapons, incendiary bombs, artifacts and ammunition that are prohibited or subject to control (Title II of Law No. 17,798, on arms control).

- **Failure to comply with the provisions of the health authority**

Sanctions whoever, knowingly and having authority to order the work of a subordinate, orders him to attend the place of performance of his work when it is different from his domicile or residence, and the worker is in quarantine or mandatory sanitary isolation decreed by the health authority. (Article 318 ter of the Penal Code).

- **Human trafficking**

Sanctions whoever, through violence, intimidation, coercion, deception, abuse of power, taking advantage of a situation of vulnerability or dependency of the victim, or granting or receiving payments or other benefits to obtain the consent of a person who has authority over another recruits, transfers, welcomes or receives persons so that they may be the object of some form of exploitation, forced labor or services, servitude or slavery or similar practices.

Whoever promotes, facilitates or finances the execution of the behaviors described in this article will be sanctioned as the author of the crime. (article 411 quarter of the Penal Code)

- **Attack on the integrity of a computer system**

Sanctions anyone who hinders or prevents the normal operation, total or partial, of a computer system, through the introduction, transmission, damage, deterioration, alteration or deletion of computer data (title I of Law No. 21,459 that sanctions crimes IT)

- **Illegal access**

Sanctions those who, without authorization or exceeding the authorization they have and overcoming technical barriers or technological security measures, access a computer system, who discloses the information and who accesses with the intention of seizing or using the information contained in the computer system. and discloses it (Title I of Law No. 21,459 that penalizes computer crimes).

- **Illicit interception**

Penalizes anyone who unduly intercepts, interrupts or interferes, by technical means, with the non-public transmission of information in a computer system or between two or more of them and who, without proper authorization, captures, by technical means, data contained in computer systems through electromagnetic emissions from them (Title I of Law No. 21,459 that sanctions computer crimes).

- **Attack on the integrity of computer data**

Penalizes anyone who improperly alters, damages or deletes computer data, provided that this causes serious harm to the owner thereof (Title I of Law No. 21,459 that sanctions computer crimes).

- **Computer forgery**

Penalizes anyone who improperly enters, alters, damages or deletes computer data with the intention that they be taken as authentic or used to generate authentic documents (Title I of Law No. 21,459 that sanctions computer crimes).

- **Reception of computer data**

Penalizes anyone who, knowing its origin or not being able to do less than know it, markets, transfers or stores with the same object or for another illicit purpose, in any capacity, computer data, arising from the conduct of illicit access, illicit interception and computer falsification (Title I of Law No. 21,459 that penalizes computer crimes).

- **Computer fraud**

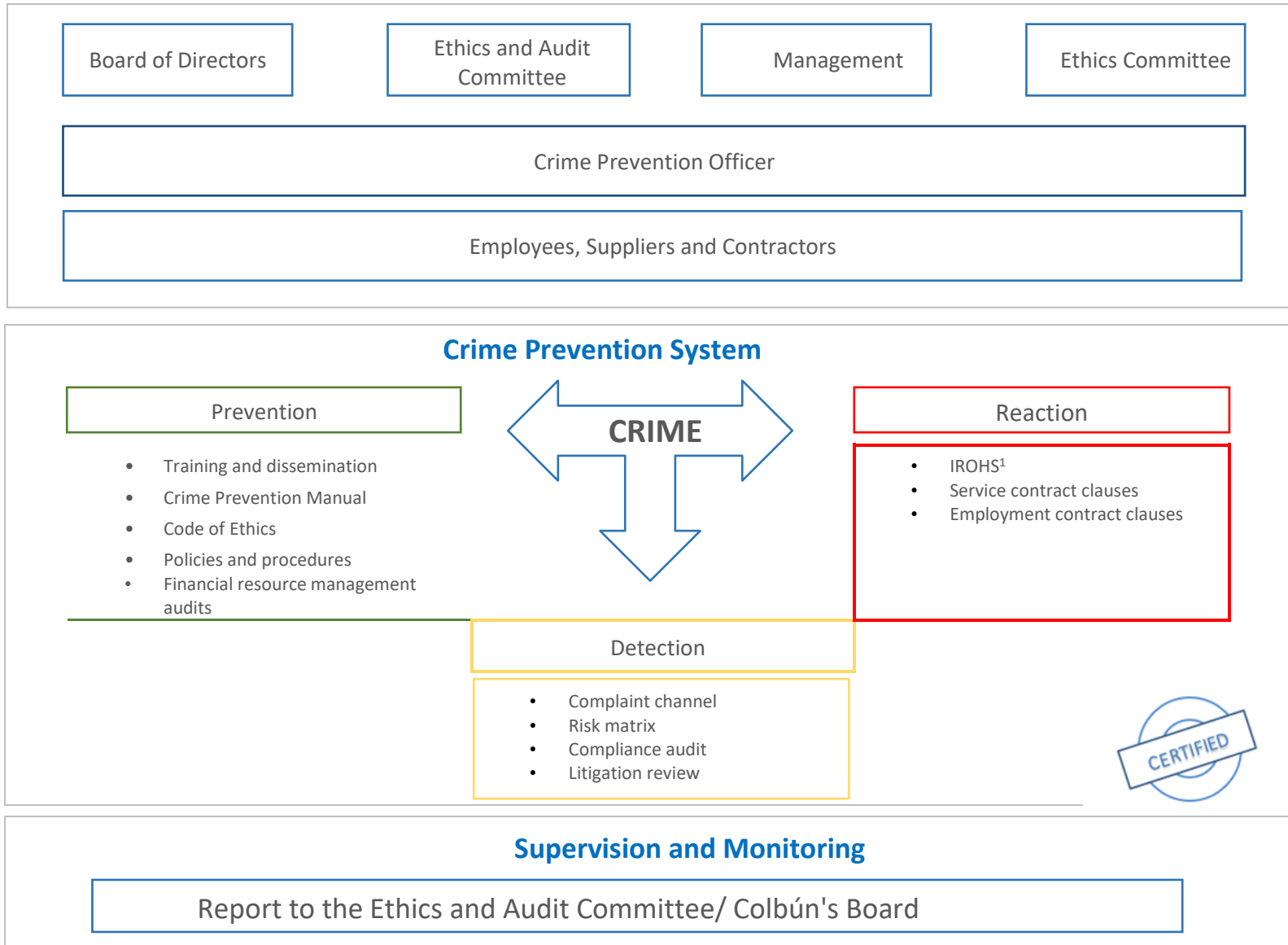
Penalizes anyone who, causing harm to another, to obtain an economic benefit for himself or for a third party, manipulates a computer system, by entering, altering, damaging or deleting computer data or through any interference in the operation of a computer system. The author of this crime will also be considered the one who, knowing or not being able to do less than know the illegality of the behavior described, facilitates the means with which the crime is committed (title I of Law No. 21,459 that sanctions computer crimes).

- **Device abuse**

Sanctions the person who commits the crimes of attacking the integrity of a computer system, illicit access, illicit interception and attack on the integrity of computer data or the behaviors indicated in article 7 of Law No. 20,009 (protection of credit card users), delivers or obtains for use, imports, disseminates or otherwise makes available one or more devices, computer programs, passwords, security or access codes or other similar data, created or adapted mainly for the perpetration of such crimes (Title I of Law No. 21,459 that sanctions computer crimes).

The following diagram shows the main activities and components that compose Colbún's CPM:

CRIME PREVENTION MODEL



¹ IROHS: Internal Regulations on Order, Hygiene and Safety
Crime Prevention Model Manual

4.2 Roles and Responsibilities

The CPO will disseminate and communicate the CPM to Colbún's employees, as well as the roles and responsibilities arising from it and the possible penalties for non-compliance.

4.2.1 Board of Directors of Colbún

Ensure that Colbún adequately complies with the duties of management and supervision indicated in Law No. 20,393, to avoid the attribution of criminal liability of the legal entity if any of the crimes indicated in said Law have been committed. For this purpose, the Boards of Directors shall:

- a) Approve the Crime Prevention Model within the framework of Law No. 20,393.
- b) Appoint the CPO for a term of up to three years, which may be extended for periods of the same duration, in accordance with the provisions of Law No. 20,393.
- c) Provide the material means and resources necessary for the CPO to fulfill its roles and responsibilities, in addition to guaranteeing the CPO sufficient autonomy with respect to the administration. The budget for the CPO to fulfill its function in Colbún is provided by Colbún S.A.
- d) Regularly review the main crime commission focuses, the level of prevention and the management developed by the CPO.

4.2.2 Ethics and Audit Committee

- a) Be aware of the CPM's operating status and report a summary of such performance to the Board of Directors of Colbún S.A.
- b) Support the CPO in fulfilling the role assigned by the Board of Directors.

The Ethics and Audit Committee meets quarterly on an ordinary basis and on an extraordinary basis when necessary.

4.2.3 Management

i. General Management

Promote compliance with the Crime Prevention Model and support the CPO to perform its functions as appropriate.

ii. Legal Management

- a) Advise on possible amendments to the clauses relating to Law No. 20,393, included in contracts with third parties and employees;
- b) Report, at least every six months, if there are claims and/or litigation related to the offenses set forth in Law No. 20,393, as well as advise the CPO on possible sanctions and/or corrective actions resulting from the investigations carried out and concluded.

iii. **Internal Audit Management**

- a) Provide an independent view regarding the administration of the CPM. For this purpose, it must have an adequate understanding of the risks of committing crimes and their impact on Colbún;
- b) Verify that the CPM adequately complies with the requirements of Law No. 20,393 associated with the duties of management and supervision;
- c) Verify compliance with policies and procedures associated with the CPM;
- d) Suggest areas of improvement to the policies and procedures associated with the CPM; and;
- e) Audit the administration of financial resources.

iv. **Control and Risk Management**

- a) Coordinate work meetings with the different areas of Colbún to identify and/or update the main processes/activities that have risks related to the commission of crimes contemplated in Law No. 20,393 and its controls, which will be included in Colbún's Risk and Crime Control Matrix.
- b) Support the areas in the definition and implementation of preventive and/or detective control measures in the processes or activities identified with greater exposure to the risk of committing crimes under Law No. 20,393.

v. **Organization and People Management**

- a) Develop reviews of Politically Exposed Persons (PEP) or related, preventively and periodically, before the formalization of employment contracts;
- b) Ensure that all employee and service provider contracts include clauses related to Law No. 20,393 and the CPM;
- c) Support in the coordination of CPM dissemination activities;
- d) Advise on decision making, in relation to sanctions and corrective actions to be implemented as a result of the investigations carried out and concluded.

vi. **Supply Management**

- a) Execute preventive and detective controls defined for the area;
- b) Conduct preventive and periodic reviews of Politically Exposed Persons (PEP) and related parties, prior to the formalization of contracts and/or agreements with third parties and the creation of a new supplier in SAP;
- c) Verify that all service contracts include clauses related to Law No. 20,393 and the CPM.

4.2.4 Ethics Committee

Formed by the Organization and People Manager, the Legal Manager and the Internal Audit Manager (Committee Chairman). This Committee has the following responsibilities:

- a) Support the CPO in the analysis of complaints received;
- b) To promote the ethical culture within Colbún;
- c) Manage complaints related to the offenses described in Law No. 20,393.

4.2.5 Crime Prevention Officer (CPO)

The Crime Prevention Officer (CPO) shall be responsible for the adoption, implementation, administration, updating and supervision of the CPM. To this end, the CPO shall:

- a) Ensure the continuous and adequate identification of the main risks of committing crimes and that prevention actions (responses) are designed and implemented;
- b) Carry out periodic monitoring of crime risks, focusing on those that present low levels of prevention;
- c) Ensure that staff are aware of and understand the main aspects related to Law No. 20,393, the CPM, their role and responsibility in this model;
- d) Annually review the CPM in order to detect and correct its weaknesses and update it when required, as a result of changes in the organization and/or others that may affect its proper execution;
- e) Report at least semi-annually to Colbún's Board of Directors on the duties of its role.

The Board of Directors of Colbún shall appoint the Crime Prevention Officer (CPO) for a term of up to three years, which may be extended for periods of the same duration, in accordance with the provisions of Law No. 20,393.

4.2.6 Employees, Suppliers and Contractors

Employees:

- a) Refrain from engaging in conduct that may constitute any of the offenses listed in article 1° of Law No. 20,393, in accordance with the clause established in the employment contracts;
- b) Know and comply with the scope and implications of Law No. 20,393, the Colbún MPD and comply with it;
- c) Report, through the complaints channel, any violation of the rules of the Crime Prevention Model or acts or behaviors that could eventually constitute some of the crimes contemplated in Law No. 20,393, of which it becomes aware;
- d) Execute the preventive and detective controls defined to mitigate the risk of committing crimes in the activities for which they are responsible.

Suppliers and Contractors:

- a) Refrain from engaging in conduct that may constitute any of the offenses referred to in article 1° of Law No. 20,393, via contractual clause;
- b) Report, through the whistleblower channel, any violation of the Crime Prevention Model or acts or behaviors that could eventually constitute any of the crimes contemplated in Law No. 20,393, committed by their owners or employees or those of Colbún.

4.3 Prevention Activities

Control activities aimed at preventing the perpetration of any of the offenses described in Law 20,393.

4.3.1 Training and Dissemination

The CPO will be responsible for informing employees and collaborators of the existence and content of the CPM and the scope of Law No. 20,393 through training (face-to-face or virtual), intranet and/or e-mail, aimed at all Colbún employees.

4.3.2 Crime Prevention Manual

The Crime Prevention Manual describes the elements that make up the Crime Prevention Model implemented by Colbún, in accordance with the provisions of Law No. 20,393 on Criminal Liability of Legal Entities.

4.3.3 Code of Ethics

It establishes a framework of conduct whose objective is to be a guide that orients the actions of all Colbún employees, which is based on transparency, integrity, compliance with applicable laws and good decision making. In this sense, it establishes a control environment regarding activities that could expose Colbún to legal and/or criminal liabilities.

4.3.4 Policies and Procedures

The policies and procedures that establish definitions, regulations and controls for the company's activities must be duly documented and disseminated to all Colbún employees, such as:

- a) Corporate policies.
- b) Corporate procedures for delegation of authority.
- c) Corporate procedures in activities with greater exposure to the risk of crime.

4.3.5 Financial resource management and auditing procedures

The policies and procedures for the management of financial resources establish controls to prevent the use of these resources in the crimes of money laundering, financing of terrorism, receiving stolen goods, bribery, incompatible negotiation, corruption among individuals, misappropriation, and unfair administration:

- Policy Delegation of Authority of the Board
- Board of Directors Delegation of Authority (DOA-1)
- Delegation of Administration Authority (DOA-2)
- Donations Policy
- Voluntary Disbursement Procedure
- Travel Management and Expense Reporting Manual

The Internal Audit Management will conduct audits of the processes that manage financial resources, which will be programmed in the annual audit plan.

4.4 Detection Activities

Control activities aimed at detecting the commission of the offenses set forth in Law No. 20,393.

4.4.1 Complaints Channel

Colbún has a confidential communication channel for queries and complaints, which may be made by identifying the complainant or anonymously, enabled for all persons related to the organization (employees, employees, customers, suppliers, community, etc.).

All complaints/consultations must be channeled through the following channels and will be addressed under an independent, confidential, and non-retaliatory analysis towards their issuers:

- a) Web: Through the Ethics Line Electronic Form available on the Colbún website <http://www.colbun.cl/linea-denuncia>
- b) E-mail: comitedeetica@Colbun.cl
- c) Letter: In a confidential envelope addressed to the Internal Audit Manager at Av. Apoquindo 4775, 13th Floor, Las Condes, Santiago, Chile.

Colbún promotes the responsible use of this communication channel, seeking to safeguard the integrity of its employees and Colbún's image.

Procedure PRO-144 Management of Complaints or Ethical Inquiries describes the activities that must be carried out to manage communications received through the complaints channel.

4.4.2 Risk and Crime Control Matrix (RCCM)

The main tool of this crime prevention system is the Crime Risk Matrix, which allows documenting and recording each process/activity with exposure to the risk of committing the crimes set forth in Law No. 20,393.

To develop the RCCM, work meetings led by the Corporate Management Control and Risk and the CPO must be held, with the participation of key representatives from all areas and pertinent functions of Colbún.

The following activities will be carried out in these meetings:

i. Identification/updating of risky activities and processes

A list of the main activities/processes will be developed/reviewed, differentiating those that are habitual from those that are sporadic, with risk of committing the offenses indicated in article 1° of Law No. 20,393, and that are carried out by executives or those who perform management and supervisory activities, as well as by employees or others who are under the direct management or supervision of any of the aforementioned. Subsequently, the risks of the identified activities/processes will be evaluated to establish a quantification, incorporating this information in the RCCM.

ii. Risk Assessment

The risks identified in each activity/process must be evaluated for prioritization, with the objective of determining the areas or operational processes with the greatest exposure, which will allow focusing the efforts of the CPO.

To evaluate the risks, the Severity and Probability criteria defined by the Corporate Management Control and Risk must be used.

iii. Identification and evaluation of controls

Management, along with the CPO, identifies and evaluates control activities for the effective mitigation and/or prevention of identified risks. These activities are incorporated into the RCCM.

The RCCM should be reviewed at least annually or when relevant changes occur in the organization that affect its definitions.

4.4.3 Compliance Audit

Audit whose main objective is the validation of the key controls associated with the Crime Prevention Model of Law No. 20,393. This audit must be performed by a unit independent from the owners of the processes. The CPO will determine whether this activity is carried out by the Internal Audit Management or by a third party hired for this purpose.

4.4.4 Litigation Review

The Legal Management shall submit, at least every six months, reports on lawsuits, litigation, fines and infractions related to the offenses set forth in article 1° of Law No. 20,393, in order to control and report events that compromise the occurrence of any of the offenses contemplated in said Law.

4.5 Reaction Activities

Control activities aimed at reacting to the perpetration of any of the crimes described in the law.

4.5.1 Internal Regulations on Order, Hygiene and Safety (IROHS)

Pursuant to Article 4, paragraph 3, letter d, of Law No. 20,393, Colbún has established obligations and prohibitions for the prevention of the crimes contemplated in this law, which every employee is obliged to know and comply with and which are incorporated into the Internal Regulations of Order, Hygiene and Safety of Colbún S.A., in the terms set forth in TITLE XVII called CORPORATE CRIMINAL RESPONSIBILITY AND PREVENTION OF OFFENSES CONTAINED IN LAW No. 20,393, which is attached as an appendix to Chapter 8 of this Manual.

Likewise, the aforementioned TITLE XVII establishes the penalties that would be applied for possible violations of such regulations.

4.5.2 Service Contract Clauses

Law No. 20,393 on criminal liability of legal entities establishes as one of the mandatory control milestones, the incorporation of clauses for the prevention of the crimes contemplated in said law, in contracts with service providers, which are added as an annex in chapter 8 of this Manual.

i. Contracts or agreements that are required to include the clause

- a) Contracts for services rendered in Chile or abroad.
- b) Contracts for the lease of real estate.
- c) Agreements signed with the Colbún Foundation or other foundations.

ii. **Contracts or agreements in which the incorporation of the clause is NOT obligatory**

- a) Contracts for the purchase of goods (without associated services).
- b) Contracts for basic consumption (for example, electricity, water, gas, etc.).

Other situations not mentioned in points i and ii must be referred to the Internal Audit Management, to be resolved on a case-by-case basis.

4.5.3 Employment Contract Clauses

Pursuant to the provisions of Article 4, paragraph 3, letter d, of Law No. 20,393, all contracts of Colbún employees, including top executives, must expressly include internal regulations that indicate the obligations and prohibitions, as well as penalties for non-compliance, which, for all legal, labor, and other applicable purposes, shall be understood to be an integral part of the employment contract. In view of the foregoing, the employment contracts of Colbún employees shall contain the clause attached as an appendix in Chapter 8 of this Manual.

5 Supervision and Monitoring

The purpose of monitoring activities is to establish controls to ensure the proper design and operation of the CPM, minimizing the risk of committing any of the offenses listed in the law on criminal liability of legal persons.

The CPO may carry out the following monitoring activities:

- a) Review of supporting documentation of tests performed by support areas;
- b) Reprocessing of control activities (by sampling);
- c) Analysis of the reasonableness of transactions; and
- d) Verification of compliance with the restrictions established in the procedures.

This should be constantly updated depending on the context of both the company and the law.

6 Reporting to the Ethics and Audit Committee / Colbún Boards of Directors

This activity consists of keeping the Ethics and Audit Committee and the Board of Directors of Colbún adequately informed of the main aspects associated with the management of Colbún's Crime Prevention Model. The CPO is responsible for reporting to the Ethics and Audit Committee and the Board of Directors.

The report must contain the status of progress of the measures and plans implemented in compliance with the CPM considering all elements or activities that make up the CPM and must be made with a periodicity less than or equal to six months.

7 Certification

The Board of Directors of Colbún will define the need to certify the Crime Prevention Model by an independent third party.

8 ANNEXES

8.1 Excerpt from the Regulations of Order, Hygiene and Safety

T I T L E XVII
CORPORATE CRIMINAL LIABILITY AND PREVENTION OF CRIMES
CONTEMPLATED IN LAW 20,393

Crime Prevention Model

Article 55

Within the framework of the provisions of Law No. 20,393, which establishes the criminal liability of legal entities for the crimes established therein, the Company has implemented a Crime Prevention Model (CPM). These crimes are bribery, money laundering, financing of terrorism, receiving, incompatible negotiation, corruption between individuals or bribery, misappropriation, unfair administration, water pollution in the cases indicated in Law No. 18,892, as well as all those crimes that are incorporated in the future due to legal amendments. The CPM has been adopted by the Company by virtue of the provisions of Article 4 of Law No. 20,393.

Article 56

The Crime Prevention Model regulates various aspects contemplated in Law No. 20,393, one of the most important of which is the appointment of a Crime Prevention Officer, who is appointed by the Company's Board of Directors.

The CPM contains several documents to fulfill its objective, such as the Crime Prevention Model Manual, which is complemented by a) Corporate policies; b) Corporate procedures for the delegation of authority; c) Corporate procedures in activities with higher exposure to the risk of crime, including the identification of risk activities or processes, protocols, rules, obligations and prohibitions of employees, internal procedures for complaints, investigation and sanctions that may apply.

Additionally, the CPM considers conducting audits and supervision and monitoring activities that address all processes and activities of the Company and in which each employee must cooperate to help prevent violations involving any of the offenses of Law No. 20,393.

Article 57

The Company shall take the pertinent measures to train the employees regarding the provisions referred to in this title, as well as those necessary for the correct and timely dissemination of the same, by all means it deems appropriate, among which may include, and without this list being exhaustive, but merely enunciative, the publication of these procedures on the Corporate Intranet, talks to the personnel, publications in wall newspapers, sending internal circulars, etc.

Obligations and prohibitions of the employees in relation to the Crime Prevention Model

Article 58

The employees are obliged to know and respect the Company's Crime Prevention Model and, consequently, the Crime Prevention Model Manual, the Code of Ethics and all policies and procedures applicable to them by virtue of the function they perform in the Company.

In any case, the Company shall incorporate in the individual employment contracts of all Employees a clause containing the obligation to know and comply with the Crime Prevention Model and to refrain from executing any action that may constitute the crimes contemplated in Law No. 20,393.

Article 59

Colbún employees, regardless of their positions, hierarchies or functions, shall maintain, in the performance of their duties for the Company, ethical behavior and refrain from conduct that

could link the company with any crime, especially with any of the crimes contemplated in Law No. 20,393.

1. Without any prejudice to the obligations established in TITLE VIII of these Internal Regulations of Order, Hygiene and Safety and those established in the employment contracts, as well as those established in the legislation in force, the employees shall be especially obliged to:
 - a) Act at all times, in the performance of their duties, in accordance with the law and the Company's policies, manuals and procedures, so as to comply with their management and supervisory duties.
 - b) Comply with the Crime Prevention Model Manual, the Code of Ethics and all policies, procedures and instructions applicable to them in the performance of their duties, especially when they are in a position to make business decisions, have access to relevant information, or have a conflict of interest; dispose, in any way, of money or property of the Company, interact with the authorities and/or select suppliers of goods and services or enter into acts and contracts in the name and on behalf of the Company.
 - c) Adopt the necessary measures, in accordance with their powers and functions, so that any sum of money or goods that they must dispose of in the course of their work, either by virtue of the payment of fees and/or the execution of acts and contracts, are not used for illegal and/or criminal purposes, such as the financing of terrorism, money laundering, bribery or any other type of crime.
 - d) Strictly comply with the procedures for the purchase and contracting of services, whether through direct contracting or bidding, to avoid situations of bribery and/or bribery.
 - e) In cases where an Employee is responsible for goods that have been delivered to the Company in deposit, consignment, bailment, bailment, guarantee or custody, or any other title that contains the obligation to return it, ensure that the return is made within the agreed contractual terms.
 - f) Strictly comply with the operation and maintenance procedures, to avoid leakage of pollutants generated in the operation to any river, lake, sea, or other body of water located at the mouth of a power plant and that could cause damage to hydrobiological resources.
 - g) In case of reasonable doubt about the legitimacy of an act or contract, according to the Company's policies and procedures, consult your direct management regarding the issue. If the situation cannot be resolved in the respective area, refer the matter to the Crime Prevention Officer.
 - h) Immediately inform the Crime Prevention Officer (Internal Audit Manager) of any situation of which he/she becomes aware that could result in the illegal use of the Company's money or any situation that could imply the occurrence or risk of any of the crimes of Law No. 20,393, through the Whistleblower Channel established on the corporate intranet.
 - i) Permanently ensure that the employees in their charge, co-workers, contractors, service providers and anyone who has a contractual relationship with the Company, refrain from performing any illegal or improper act and/or that may constitute any of the offenses of Law No. 20,393.
 - j) To report any violation of the rules of the Crime Prevention Model or acts or behaviors that may eventually constitute any of the offenses under Law 20,393, of which it becomes aware, through the established reporting channel.
2. Without prejudice to the prohibitions established in TITLE IX of these Internal Regulations of Order, Hygiene and Safety and those established in the employment contracts, as well as those enshrined in the legislation in force, it shall be especially prohibited for employees to
 - a) Giving, offering, or consenting to give to a national public employee, an economic benefit or of any other nature, for the benefit of the latter or of a third party, by reason of the public employee's position or to perform or for having performed an act proper to his/her position or to omit or for having omitted a due act proper to his/her position or to perform or for having performed an act in violation of the duties

of his office or commits certain crimes or simple offenses in the performance of his office and in no case and under no pretext or circumstance and by no means, especially under the pretext that the Company will obtain a benefit from it.

- b) Offering, promising, giving or consenting to give to a foreign public official, an economic benefit or of any other nature for the benefit of the latter or a third party, by reason of the public official's position, or for omitting or executing, or for having omitted or executed an act proper to his or her position, for the purpose of obtaining or maintaining for himself or for a third party any business or advantage in the scope of any international transactions or activity carried out abroad and in no case and under no pretext or circumstance, and by no means, especially under the pretext that the Company will obtain a benefit therefrom.
- c) Giving, promising, or authorizing loans, gifts, presents, favors, entertainment or services of any kind to national or foreign public officials or to any client, supplier, or service provider, or to persons related to them.
- d) To favor the hiring, acceptance, and maintenance of certain suppliers and/or service providers that do not comply with the requirements established by the Company in its policies and procedures.
- e) Under no pretext or circumstance give, offer or consent to give an employee or agent (client) an economic benefit or any other type of benefit, for himself or for a third party with the purpose of favoring or having favored the Company over another bidder in any contracting.
- f) Under no pretext or circumstance request or accept to receive an economic benefit or of any other nature, for himself or for a third party with the purpose of favoring or having favored in the exercise of his duties the contracting of one bidder over another (supplier or service provider).
- g) Authorizing payments in violation of the Company's procedures.
- h) Rendering funds that do not have cash backing.
- i) Purchasing goods from suppliers that are not validated by the Company. It is especially forbidden to purchase any goods for use in Company activities from a non-established supplier to avoid committing the crime of receiving and/or money laundering.

Complaints Channel

Article 60

Employees shall take responsible measures for compliance with the CPM in the scope of the functions they perform and are obliged to report any violation of the rules of the Crime Prevention Model or acts or behaviors that may eventually constitute some of the offenses under Law 20,393, of which they become aware. For these purposes, the Company has a Complaints Procedure available to its employees and interested third parties, which has the possibility of making the complaint anonymously if the complainant does not want to reveal his identity.

The Company encourages all employees to use the Whistleblower Channel to communicate with the Crime Prevention Officer established in letter h) of numeral 1 of Article 59 above, in those cases in which it is aware of crimes or acts or behaviors that could eventually constitute some of the crimes contemplated in Law 20,393.

Investigation of facts that may be contrary to the Crime Prevention Model

Article 61

- a) The report of information, knowledge, or suspicion of violation of the national law and/or policies and procedures of the Company shall be submitted either through the Whistleblower Channel, which goes directly to the Crime Prevention Officer, or may be submitted directly to the latter. In any case, the Crime Prevention Officer will accept the complaint while keeping the identity of the complainant confidential.

- b) The complaint must contain a detailed description of the situation that constitutes or may constitute the risk or occurrence of any of the offenses of Law No. 20,393. It is requested to include the grounds for it and the personal data of the person or persons involved, if known.
- c) Once the complaint has been received, the Crime Prevention Officer will have 15 working days to analyze it and the eventual background that may be presented and, if required, to contact the complainant if he/she is not anonymous. Once this period has elapsed, if the background information provided is considered insufficient to initiate an investigation, the Crime Prevention Officer may file the complaint.
- d) After the term mentioned in the previous paragraph has elapsed, unless the complaint has been filed for the reason stated above, the Crime Prevention Officer shall initiate an investigation, maintaining absolute reserve and confidentiality regarding the identity of the complainant, of the accused and of the background information related to the investigation.
- e) During the investigation, the Crime Prevention Officer shall gather all the necessary and possible background information to verify the complaint.
- f) The Crime Prevention Officer may keep the investigation open for a period of 30 days in order to gather the necessary background information to verify the effectiveness of the suspicious conduct, or dismiss its occurrence, and may extend the aforementioned period for 30 more days.
- g) The investigation shall consider an interview with the accused under strict confidentiality of the rest of the company's personnel, in order to corroborate the veracity of the complaint and hear the version of this, which may be given a period of no more than 10 days to provide the background information it deems appropriate.
- h) The investigation shall be carried out respecting the constitutional guarantees and fundamental rights of the Employees, without prejudice to the consequences or effects to which the result of the investigation may give rise, in accordance with the procedure and sanctions established in this title, the policies of the company and the employment contract of the accused.
- i) Throughout this period, the person in charge of prevention shall maintain absolute confidentiality and reserve of the identities of the complainant and the accused.
- j) In any case, the Crime Prevention Officer may initiate an investigation "by own initiative", that is, without the existence of a complaint, when there are facts or suspected facts that justify it.

Sanctions

Article 62

Failure to comply with the obligations and prohibitions established in this Title by any or some of the employees, may give rise to the following sanctions, according to the seriousness of the facts:

- a) Verbal reprimand;
- b) Written reprimand with a copy to the employee's personnel file;
- c) Written reprimand with a copy to the employee's personnel file and to the respective Labor Inspectorate;
- d) A fine of 25% of the employee's daily salary, the proceeds of which will be used for the purposes indicated in the Law.

The employee sanctioned may appeal the sanction imposed in accordance with the provisions of Title XV of these Internal Regulations of Order, Hygiene and Safety and/or the administrative or legal actions that he/she considers before the Labor Inspection or the Labor Courts.

The foregoing is without prejudice to the Company's right to terminate the labor relationship in accordance with current legislation and the possible exercise of the corresponding civil and criminal actions.

8.2 Clause for contracts with service providers

Colbún S.A., hereinafter also referred to as "Colbún", has adopted and implemented a Crime Prevention Model in accordance with Law No. 20,393, which, for proper compliance, involves the following declarations, prohibitions, and obligations:

The contractor or supplier declares to understand that it is absolutely forbidden to give, offer, promise or consent to give to a national or foreign employee or public official, an economic benefit or of any other nature for the benefit of the latter or a third party, by reason of his position or to execute an act proper to his position, omit it, violate his duties, exercise influence or commit an official crime or to perform an action or incur in an omission with a view to obtaining or maintaining, for himself or another, any undue business or advantage.

The contractor or supplier declares to understand and accept that it is absolutely forbidden, knowing its origin or being able to know it, to have in its possession, in any way, stolen or stolen species or the object of cattle rustling, receiving or misappropriation, to transport, buy, sell, transform, or commercialize them in any form whatsoever. It is absolutely forbidden to supply Colbún with such goods in any form whatsoever.

The contractor or supplier declares to understand and accept that it is absolutely forbidden to provide Colbún with goods of illicit origin, especially if they come from any of the crimes contemplated in Law No. 19,913 on the prevention of money laundering.

The contractor or supplier declares that in the process that gave rise to this contract, did not give, offered, or consented to give an economic benefit or otherwise, in order to be favored in the contract, over another bidder.

The contractor or supplier declares that in the process that gave rise to this contract there were no relationships with Colbún directors or executives that cause conflicts of interest that could lead to incompatible negotiations as defined in Article 240 of the Chilean Criminal Code.

The contractor or supplier declares to understand and accept that it is absolutely forbidden to introduce or have introduced into the sea, rivers, lakes or any other body of water, chemical, biological or physical agents of any nature that cause damage to such bodies of water or hydrobiological components found therein.

The contractor or supplier declares that it has not previously incurred in any of the conducts or operations that constitute any of the offenses set forth in Article 1 of Law No. 20,393.

Likewise, he/she declares that he/she is aware of Colbún's whistleblower channel, available through the e-mail comitedeetica@colbun.cl, and undertakes to report any act that may result in any of the crimes covered by Law 20,393, of which he/she becomes aware, whether committed by a member of his/her company or by one of Colbún or its subsidiaries, and to take the necessary measures to prevent, stop or mitigate these effects.

Failure to comply with these declarations, prohibitions and obligations shall entitle Colbún to terminate this contract in advance, without the right to any compensation except for the payment of benefits already accrued, and Colbún may even withhold such benefits to compensate for the damages caused by the supplier. The foregoing is without prejudice to other measures deemed necessary or convenient to ensure its indemnity.

8.3 Clause for employment contracts

The employment contracts of all Colbún employees shall contain the following clause:

The employee hereby declares to receive a copy of the Crime Prevention Model prepared by Colbún S.A. pursuant to Law No. 20,393, which establishes obligations, prohibitions, and sanctions for the company's employees, which, for all legal, labor and other applicable purposes, shall be understood to be an integral part of this employment contract.

Furthermore, the parties agree and elevate to the quality of essential clauses of this contract the obligations contained in the Crime Prevention Model, so that the non-observance of these shall constitute the cause of serious breach of the obligations imposed by this contract, in the terms of No. 7 of Article 160 of the Labor Code, without prejudice that, as the case may be, it is also applicable to cause No. 1, letter a) of Article 160 of the Labor Code.