

# Privacy Policy

## Please read this policy carefully

### Commitment to privacy

Medsurge Healthcare Pty Ltd (ACN 124 728 892) and Medsurge Pharma Healthcare Pty Ltd (ACN 169 759 068) Medsurge considers the protection of your personal data and privacy a very important matter. We seek to adhere to all privacy laws and enforce clear policies on protecting personal information.

Medsurge processes personal data in a variety of contexts, and we invite you to carefully read our Privacy Policy, which sets out how we process your personal data and explains your rights and our obligations:

Should you have any questions about our Privacy Policy or approach to data privacy or wish to exercise your rights, we invite you to contact [privacy@medsurgehc.com](mailto:privacy@medsurgehc.com).

For the purpose of this Privacy Policy, "Medsurge" refers to Medsurge Healthcare Pty Ltd and Medsurge Pharma Pty Ltd.

### 1. What information do we have about you?

This information may either be directly provided by you, your employer or colleagues, by third parties (e.g. medical agencies) or be obtained through trusted publicly available sources. We collect various types of personal information about you, including:

- your general and identification information (e.g. first name, last name, gender, email and/or postal address, fixed and/or mobile phone number, AHPRA number where required for verification purposes, and other contact information);
- your function (e.g. title, position, name of company, as well as, for healthcare professionals, first specialty, second specialty, year of graduation from medical school, publications, awards, biography, education, links to universities, expertise and participation in/contribution to clinical trials, guidelines, editorial boards and organisations, clinical interests);
- payment information (e.g. credit card details, bank account details, GST or any relevant tax identification number);
- Medsurge unique business partner ID and profile;
- your electronic identification data where required for the purpose of delivering products or services to our company (e.g. login, access right, passwords, badge number, IP address, online identifiers/cookies, logs, access and connection times or voice recordings, website, app and service use information);
- information regarding your preferences including in terms of channels of communication and frequency;
- data you provide to us for example when you fill in forms or during events you attend, or when you answer questions in a survey;
- data which relates to our products;
- information about the interactions you have with us, including potential future interactions; and
- adverse events or adverse reaction reports relating to your use of our products.

If you intend to provide us with personal information about other individuals (e.g. your colleagues), you must provide a copy of this Privacy Policy to the relevant individuals, directly or through their employer.

## 2. For which purposes do we use your personal information?

### 2.1 Legal basis for the processing

Examples of the legal basis for when we may process your personal information include if:

- we have obtained your prior consent;
- the collection of the personal information is reasonably necessary for one or more of our functions or activities, and where the information is sensitive information, where we additionally have your consent;
- the information is reasonably necessary for one or more of our functions or activities;
- the collection of the information is required or authorised by or under an Australian law or a court/tribunal order;
- a permitted general situation or permitted health situation exists in relation to the collection of the information, under the Privacy Act 1988;
- reporting adverse reactions to regulatory bodies such as the Therapeutic Goods Administration; or
- there are other lawful reasons for us to do so.

The products and services offered by Medsurge are not directed to individuals under the age of eighteen (18). We request that these individuals do not provide personal information. If you are providing us with personal information of individuals under the age of eighteen (18), you represent that you have the appropriate authority to do so and can demonstrate such authority to Medsurge upon request.

We ask that you do not send Medsurge any sensitive personal information (e.g., government identifiers, information related to racial or ethnic origin, political opinions, religion or philosophical beliefs, health, sex life or sexual orientation, criminal background, or trade union membership, biometric or genetic data for the purpose of uniquely identifying an individual to Medsurge.

### 2.2 Purposes of the processing

We always process your personal information for a specific purpose and only process the personal information that is relevant to achieve that purpose. In particular, we process your personal information for the following purposes:

- managing our relationship with you (e.g. through our databases);
- implementing tasks in preparation of or to perform existing contracts;
- evidencing transactions and ensuring transparency on transfers of value;
- providing you with adequate and updated information about our products and services;
- improving the quality of our interactions and services by adapting our offering to your specific needs;
- answering your requests and providing you with efficient support;
- sending you surveys (e.g. to help us improve your future interactions with us);
- sending you communications regarding products, therapeutic areas or services that we promote;
- managing, planning and executing communications and interactions with you (e.g. through the operation of a database keeping records of interactions with healthcare professionals or managing call planning as well as call reporting);
- tracking our activities (e.g. measuring interactions or sales, number of appointments/calls);
- inviting you to events or promotional meetings sponsored by us (e.g. medical events, speaker events, conferences);
- managing our IT resources, including infrastructure management and business continuity;

- preserving Medsurge’s economic interests and ensuring compliance and reporting (such as complying with our policies and local legal requirements, tax and deductions, managing alleged cases of misconduct or fraud; conducting audits and defending litigation);
- managing mergers and acquisitions involving our company;
- archiving and record keeping;
- billing and invoicing;
- compliance with regulatory requirements; and
- any other purposes imposed by law and authorities.

### 3. Who has access to your personal information and to whom are they transferred?

We will not sell, share, or otherwise transfer your personal information to third parties other than those indicated in this Privacy Policy.

In the course of our activities and for the same purposes as those listed in this Privacy Policy, your personal information can be accessed by or transferred to the following categories of recipients, on a need to know basis to achieve such purposes:

- our personnel (including personnel, departments or other companies of the Medsurge group);
- our suppliers and services providers that provide services and products to us;
- our IT systems providers, cloud service providers, database providers and consultants;
- our business partners who offer products or services jointly with us or with our affiliates;
- any third party to whom we assign or novate any of our rights or obligations;
- regulators to whom we are required to report adverse events; and
- our advisors and external lawyers in the context of the sale or transfer of any part of our business or its assets.

The above third parties are either contractually obliged to protect the confidentiality and security of your personal information, in compliance with applicable law or obliged by law to do so.

Your personal information can also be accessed by or transferred to any national and/or international regulatory, enforcement, public body or court, where we are required to do so by applicable law or regulation or at their request.

The personal information we collect from you may also be processed, accessed or stored in a country outside of Australia, which may not offer the same level of protection of personal information.

If we transfer your personal information to external companies in other jurisdictions, we will make sure to protect your personal information by (i) applying the level of protection required under the local data protection/privacy laws applicable to Australia, and (ii) acting in accordance with our policies and standards. We will take reasonable steps to ensure that any overseas recipient will deal with such personal information in a way that is consistent with the Australian Privacy Principles.

### 4. Analysis of data

We use Google Analytics to rationalise our portfolio of websites by (i) optimising traffic to and between corporate websites, and (ii) integrating and optimising web pages where appropriate. “Google Analytics” is a service offered by Google Inc. “Google” that generates detailed statistics about a website’s traffic and traffic sources and measures conversions and sales. Google Analytics uses “cookies” stored on your computer to help analyse how users use our website.

The information generated by the cookies about your use of our website, including your IP address, will be transmitted to and stored by Google on servers in the United States. The IP address, however, will be shortened before being sent to Google and Google can then not use it any more to identify you or your computer. Only in exceptional cases the full IP address will be transmitted to and shortened by Google in the US. For more information on how IP anonymization works please see [\[UA\] IP masking in Universal Analytics - Analytics Help \(google.com\)](#) (external link) On behalf of us, Google will use the information generated by the cookies for the purpose of evaluating the use of our website, compiling reports on website activity providing us with these reports for analytical purposes.

Google may transfer this information to third parties in case of a statutory obligation or if a third party processes data on behalf of Google. Under no circumstances, will Google will combine or associate your IP address with other data stored at Google.

You may prevent or stop the installation and storage of cookies by you browser settings by downloading and installing the free Opt-out Browser Add-on available at [\[UA\] IP masking in Universal Analytics - Analytics Help \(google.com\)](#). We inform you that in such case you will not be able to wholly use all functions of our website.

By using our website, you consent to the processing of any personal data Google will collect on you in the way and for the purpose as described above.

## 5. How do we protect your personal information?

We have implemented appropriate technical and organisational measures to provide a level of security and confidentiality to your personal information.

These measures take into account:

1. the state of the art of the technology;
2. the costs of its implementation;
3. the nature of the data; and
4. the risk of the processing.

The purpose thereof is to protect it against accidental or unlawful destruction or alteration, accidental loss, unauthorized disclosure or access and against other unlawful forms of processing.

Moreover, when handling your personal information, we:

- only collect and process personal information which is adequate, relevant and not excessive, as required to meet the above purposes; and
- ensure that your personal information remains up to date and accurate.

For the latter, we may request you to confirm the personal information we hold about you is accurate. You are also invited to inform us whenever there is a change in your personal circumstances so we can ensure your personal information is kept up-to-date.

## 6. How long do we store your personal information?

We will only retain your personal information for as long as necessary to fulfil the purpose for which it was collected or to comply with legal or regulatory requirements.

Personal information we hold in our database about you which is not related to a specific contract will be stored for a minimum of 7 years after your last interaction with us.

For contracts, the retention period is the term of your (or your company's) contract with us, plus the period of time until the legal claims under this contract become time-barred, unless overriding legal or regulatory schedules require a longer or shorter retention period.

## 7. What are your rights, and how can you exercise them?

You may exercise the following rights under the conditions and within the limits set forth in the law:

- the right to access your personal information (including any health information) as processed by us and, if you believe that any information relating to you is incorrect, obsolete or incomplete, to request its correction or updating;
- The right to know why your personal information is being collected, how it will be used and to whom it will be disclosed;
- the right to stop receiving unwanted direct marketing; and
- the right to make a complaint about Medsurge if you think we have mishandled your personal information.

If you have any questions or want to exercise your rights regarding your personal data, you may send an email to [privacy@medsurgehc.com](mailto:privacy@medsurgehc.com) or a letter to:

Attention: Privacy Officer  
 Medsurge Healthcare  
 Unit 1&2, 6-7 Gilda Court,  
 Mulgrave, Victoria 3170  
 Australia

In addition to the above-mentioned rights, you also have the right to file a complaint with the relevant data protection authorities.

## 8. How will you be informed of the changes to our Privacy Policy?

Any future changes or additions to the processing of your personal information as described in this Privacy Policy will be notified to you in advance through an individual notice through our usual communication channels (e.g. by email or via our internet websites).

## 9. Links to other sites

This Website Privacy Policy applies only to this website, and not to websites owned by third parties. We may provide links to other websites that we believe may interest our visitors. We aim to ensure that such websites are of the highest standard. However, due to the nature of the internet, we cannot guarantee the privacy standards of websites to which we link or be responsible for the contents of sites other than this one, and this Website Privacy Policy is not intended to be applicable to any linked, non-Medsurge site.

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