

# Data Privacy Policy



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## INTRODUCTION

SERVIER preserves your privacy and strives to collect your Personal Data responsibly, pursuant to General Data Protection Regulation 2016 (hereinafter “GDPR”) and Data Protection Acts 1988 – 2018 (Data Protection Act). These Acts place responsibilities on those people involved in the processing of personal data as well as safeguarding the rights of individuals.

Please refer to the definitions at the end of this Policy regarding the terms with a capital letter.

## 1. SERVIER’S COMMITMENTS ON DATA PRIVACY

SERVIER is fully committed to ensure the protection of Personal Data within its organisation:

### *Why?*

To preserve confidentiality and security of your Personal Data as patients, job applicants, employees, customers and other business partners such as healthcare professionals (HCPs), medical sales representatives and pharmacists and any other person whose Personal Data will be processed.

### *How?*

- Adopting adequate safeguards as required under Data Protection Law, including notably the European Commission’s Standard Contractual Clauses as applicable, with the objective of ensuring the same level of protection is respected within all SERVIER entities, and to frame the transfer of Personal Data within the whole organisation, notably to countries outside of Europe;
- setting up data privacy governance: appointment of a global data protection officer, local data protection relays, and compliance relays in charge of the coordination of all those aspects, raising awareness of its staff on the applicable rules, and also adopting internal policies and procedures aimed at easing and ensuring compliance with the applicable rules within the organisation;
- ensuring adherence to this privacy policy within the organisation by continuous training;
- being rigorous when selecting and entrusting Processors with your Personal Data (providers, supplies, partners, etc.).

## 2. WHY DOES SERVIER NEED TO USE YOUR PERSONAL DATA?

SERVIER processes your Personal Data only for specified, explicit, and lawful purposes such as those described below (non-exhaustive list) and does not further process the data in a way that is incompatible with those purposes:

- recruitment and Human Resources management;
- management of relationships with clients, prospects and vendors (e.g. Finance and purchasing departments; Marketing and Medical Affairs departments; customer relationship management department, legal department etc.);
- monitoring of the scientific medical liaison with healthcare professionals;

- management of medical information delivery;
- communication and relationship management and promotional activities with HCPs including interactions, contractual relationship management, congress and meetings management, thought leaders databases, social media, virtual services (virtual meetings / conferences, etc.);
- management of clinical trials;
- pharmacovigilance management;
- transparency management;
- security of visitors and premises (in case you visit SERVIER's premises);
- the litigation management you may enter into or have entered into with SERVIER.

SERVIER does not process Personal Data for secondary purposes without verifying that additional data privacy requirements have been implemented, where required, and that the data subject has been informed or consented to this processing.

### **3. WHAT IS THE LEGAL BASIS?**

SERVIER collects and processes your Personal Data:

- according to your consent;
- for the performance of a contract;
- for compliance with a legal obligation to which the Data Controller is subject;
- for your vital interests or those of another natural person;
- for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Data Controller;
- for legitimate interests pursued by SERVIER except where such interests are overridden by your interests or fundamental rights and freedoms, in particular where the person concerned is a child.

#### ***What about the legal basis for Processing your Sensitive Personal Data?***

Sensitive Personal Data means personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, genetic or biometric data processed solely to identify a human being, data concerning health, sex life or sexual orientation.

SERVIER does not process your Sensitive Personal Data unless:

- you have unambiguously given your explicit consent to such Processing (except where the applicable laws prohibit it); or

- it is necessary for SERVIER in the field of employment law in so far as it is authorised by Union or national law or a collective agreement providing for adequate safeguards; or
- SERVIER needs to protect your vital interests or those of another person where the Data Subject is physically or legally incapable of giving his/her consent; or
- it is necessary for the establishment, exercise or defence of legal claims; or
- those Sensitive Personal Data are manifestly made public by yourself; or
- it is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services on the basis of national law or pursuant to contract with a health professional and subject under national law or rules established by national competent bodies to the obligation of professional secrecy or by another person also subject to an equivalent obligation of secrecy.

#### 4. WHAT OTHER PRINCIPLES ARE SERVIER COMPLYING WITH?

SERVIER collects and processes your Personal Data in a fair, transparent and lawful manner, to the extent necessary for its legitimate business interests, and in consideration of your rights and freedom as individuals regarding the respect of:

- ***data quality and proportionality of the use of your Personal Data:*** SERVIER limits the collection of your Personal Data to what is necessary in relation to the purposes for which they are processed ('data minimisation') and with adequate and relevant Personal Data only. SERVIER takes steps and processes to prevent excessive or irrelevant transmissions of Personal Data from the sender;
- ***accuracy and keeping your Personal Data up-to-date:*** SERVIER takes steps to ensure that data which is inaccurate or incomplete, having regard to the purposes for which it was collected or for which it is further processed, is erased or rectified;
- ***appropriate data retention period:*** SERVIER retains your Personal Data on legal and business retention requirements, in a form which permits your identification for no longer than is necessary for the purposes for which your Personal Data are processed. When the maximum retention period required by applicable law or the retention period required for the purpose of collection (whichever date occurs later) is reached, SERVIER takes reasonable steps to destroy the Personal Data; and
- ***security and confidentiality of your Personal Data:*** SERVIER has put in place appropriate and commercially reasonable technical and organisational security measures to keep your Personal Data that it collects and holds confidential and to protect it against unauthorised or unlawful disclosure or access, accidental loss, destruction, alteration or damage taking into consideration state of the art technology and the cost of implementation. Any security breach is promptly analysed and restoration measures are taken. SERVIER takes appropriate measures to ensure that Data Processors who are given access to your Personal Data reasonably uphold at least as stringent security measures as those applied by SERVIER.

## 5. ARE THERE ANY AUTOMATED DECISIONS FOR THE PROCESSING OF YOUR PERSONAL DATA BY SERVIER?

SERVIER takes appropriate steps to ensure that you have the right not to be subject to a decision which produces legal effects concerning you or significantly affects you and which is based solely on automated Processing of Personal Data, including profiling intended to evaluate certain personal aspects relating to you such as your performance at work, creditworthiness, reliability, conduct, etc.

## 6. WHAT ARE YOUR RIGHTS?

You have the right to request and obtain from SERVIER without undue delay:

- information in an intelligible format at least about the purposes of the Processing, the categories of Personal Data concerned, the recipients or categories of recipients, the transfers if existing, and the appropriate safeguards used;
- access to your Personal Data. Depending on your situation as a Data Subject (patient, candidate, vendors or other) and the applicable law, your Personal Data may be disclosed either to you directly or through a physician, healthcare professional or another person designated by you;
- rectification of your inaccurate Personal Data;
- erasure of your Personal Data (unless it is necessary for us to process your Personal Data to comply with a legal obligation, performance of the contract we may have with you or for the establishment, exercise or defence of a legal claim);
- where applicable, to have a restriction of Processing;
- where applicable, to exercise your right to data portability and obtain from SERVIER your Personal Data, which you have provided to SERVIER, in a structured, commonly used and machine-readable format;
- to object, at any time, free of charge and without having to state legitimate grounds, to the Processing of Personal Data for the purposes of direct marketing (including Profiling to the extent that it is related to such direct marketing);
- to lodge a complaint with a supervisory authority regarding the use of your Personal Data.

You may submit these requests to the relevant contact (detailed in the Privacy Notices) via post, or via email, which can be found on the SERVIER local website ([https:// www.servier.ie /](https://www.servier.ie/)).

SERVIER may object to requests that are obviously excessive, in particular by their number, or their repetitive and systematic character. In the event of an offence committed or allegedly committed by the data subject, legal proceedings may be initiated.

## 7. IS THERE ANY TRANSFER OF MY PERSONAL DATA?

SERVIER is a global organisation, with legal entities on five continents, and businesses, IT systems, management structures and processes that cross borders. As such, it is sometimes

necessary for SERVIER to transfer Personal Data to other SERVIER entities or to Data Processors or third parties, in the same country as or in countries other than the country in which it was initially provided, and/or store Personal Data in databases that may be hosted in or accessible from other countries.

- **Transfers to SERVIER entities:** In cases where Servier needs to transfer Personal Data to another Servier entity outside the European Union, it shall ensure that adequate safeguards, as required under applicable data protection legislation, will be implemented (including, notably, the European Commission's Standard Contractual Clauses, as applicable).
- **Transfers to entities outside of the SERVIER Group:**
  - **Data Processors:** SERVIER has entered or will enter into appropriate written agreements with Data Processors to ensure that they process your Personal Data in accordance with SERVIER's instructions and set up and maintain appropriate security and confidentiality measures to ensure an appropriate level of protection. SERVIER does not transfer your Personal Data to Processors outside of the EU unless those Data Processors have adopted appropriate privacy and security controls to protect your Personal Data in accordance with the relevant EU privacy requirements (for instance by ensuring the EU Standard Contractual Clauses approved by the EU Commission are signed with the Data Processor) if the Data Processor is located in a country outside the EU which does not provide an adequate level of protection of Personal Data, such clauses will be signed between SERVIER and the Data Processor.
  - **Third parties:** SERVIER entities may be required to disclose certain Personal Data to third parties. In particular, such disclosure may be required to comply with applicable laws (e.g. disclosure of salary data to tax authorities) or when the health or security of a Data Subject is endangered (e.g. in case of an accident). SERVIER may also disclose your Personal Data to protect its legal rights (e.g. in a litigation).

## 8. CLAIMS HANDLING AND ENFORCEMENT MECHANISMS

SERVIER entities will take appropriate remedial action, which may include disciplinary sanctions, in accordance with applicable law, if your Personal Data is accessed, processed, or used in any way that is inconsistent with this Policy.

If reasonably and in good faith you believe that there has been a violation of this Policy or that your Personal Data is processed in a way that is incompatible with this Policy, you may lodge a complaint to the contact detailed in the Privacy Notices whose independence is guaranteed during the performance of their functions.

SERVIER has a procedure in place to describe the roles and responsibilities for handling privacy complaints received from Data Subjects and for receiving, documenting, investigating and responding to privacy complaints.

When a complaint is registered, it must be acknowledged and handled within a reasonable period of time (one calendar month renewable on legitimate grounds and subject to the level of complexity of the case).

If you are not satisfied by the replies provided at local or global level, you have the right to lodge a complaint with the relevant supervisory authority and/or the competent jurisdiction where the relevant SERVIER entity is established. Prior to referring a case to the relevant supervisory authority or competent jurisdiction, each party should make its best efforts to solve a claim through the internal complaint mechanism described above.

A data protection infringement could result in a fine of up to €20 million, or 4% of the company's worldwide annual revenue from the preceding financial year.

## **9. SERVIER POINT OF CONTACT**

For any questions on this Policy, or any complaints, or requests (such as access, objections or rectification requests), we encourage you to contact the relevant contact for you as detailed in the Privacy Notices.

## **10. AMENDMENTS**

This Policy may be amended from time to time. The newest version of the Policy will be posted on the intranet and the Servier website ([https:// www.servier.ie /](https://www.servier.ie/)) and may also be distributed (in hard copy or electronic version) as appropriate to employees. In the case of substantial changes to our policies and practices, we ensure the same level of protection of your data protection collected in the past.

## DEFINITIONS

In this Policy, the following terms have the meanings set out below:

**“SERVIER”** shall mean SERVIER SAS, and any other company controlled by SERVIER SAS, with a company being considered as controlling another: (a) when it holds directly or indirectly a portion of the capital which provides the majority of the voting rights in general meetings of shareholders of this company; (b) when it holds solely the majority of the voting rights in this company by virtue of an agreement concluded with other partners or shareholders and which is not contrary to the interest of the company; (c) when it determines de facto, by voting rights which it holds, the decisions in the general meetings of shareholders of this company; (d) when it is a partner or shareholder of this company and holds the power to nominate or to revoke the majority of members of the administrative, management or supervisory bodies or (e) in any event, when it holds, directly or indirectly, a portion of voting rights greater than 40% and when no other partner or shareholder holds directly or indirectly a portion which is greater than its own.

**“Personal Data”** means any information relating to an identified or identifiable natural person (“Data Subject”); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

**“Data Subject”** an identified or identifiable natural person to whom Personal Data relates.

**“Data Controller” or “Controller”** the entity, i.e. SERVIER, which determines the purposes and means of the Processing of Personal Data; except where expressly designated by legal provisions applicable to the Processing.

**“Data Processor” or “Processor”** the natural or legal person, which processes Personal Data on behalf of the Controller.

**“Processing”** means any operation performed upon Personal Data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

**Servier Laboratories (Ireland) Ltd.**

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**Dublin, July 2021**