

Gilead Australia and New Zealand Privacy Policy

Effective 17/08/2021

1. PURPOSE

This Policy describes how Gilead Sciences Pty Ltd ABN 71 072 611 708 (Gilead Australia) and Gilead Sciences (NZ) company number 1476178 (Gilead New Zealand) (together Gilead) manages personal information that it collects, holds, uses, and discloses. The primary purpose of this policy is to ensure compliance with all applicable privacy legislation.

2. SCOPE

This policy applies to the collection, use, and disclosure of *personal information* about any person by Gilead personnel, excluding (to the extent the employee records exclusion applies) *personal information* of Gilead employees.

3. STATEMENT OF POLICY

This privacy policy applies if your *personal information* is collected or handled by:

- Gilead Australia (subject to the Australian Privacy Act 1988 (Cth) (AUST Privacy Act)); or
- Gilead New Zealand (subject to the New Zealand Privacy Act 2020 (NZ Privacy Act)).

Gilead is committed to protecting the privacy of your personal information. This Privacy Policy explains how Gilead manages the personal information that we collect, hold, use, and disclose and how to contact us if you have any further queries about our management of your personal information.

Types of personal information Gilead collects

A. From healthcare practitioners:

If you are a healthcare practitioner, the types of personal information that we may collect include:

- Identifying and contact information such as your name, work title, clinical field, work address, phone number and email address, and to the extent you visit our offices, images from our CCTV systems;
- Work-related information such as biographies, work histories and conference attendances;
- Travel information such as passport details;
- Information about your prescribing habits; and
- Information about the research projects and clinical trials you may be involved in.

In addition, if you are a healthcare practitioner and you receive any payment or non-monetary benefit from Gilead (including if you provide services to Gilead, Gilead sponsors you to attend a conference or you are invited by Gilead to attend a medical education event), Gilead may also collect the following information from you (**Transparency Data**):

- Name and profession;
- Business/practice address;

- A description of any services and benefits you receive from Gilead and details of any services, activities and events in respect of which you were engaged by Gilead including relevant dates;
- The amount of the financial payment or the value of any non-monetary benefit you individually receive from Gilead including air travel, accommodation costs (room rate) and registration fees paid by Gilead and/or reimbursed to you; and
- Any financial payments made or non-monetary benefits given to third parties as directed by you,

B. From others

If you are not a healthcare practitioner or a patient, but otherwise have a relationship, or interact, with Gilead (such as a patient organisation representative, an academic, a researcher, a social worker or a medical administrator), the types of *personal information* that we may collect include:

- Identifying and contact information such as your name, work address, phone number and email address, and to the extent you visit our offices, images from our CCTV systems; and
- Other *personal information* relevant to your relationship or interaction with Gilead.

C. From patients

Gilead does not actively seek to collect the *personal information* of patients. We may collect the *personal information* of patients in response to queries we receive from patients or their healthcare practitioners and to fulfil any requests made by or in relation to patients or their healthcare practitioners. The types of *personal information* we may collect from or about patients in these circumstances include:

- Identifying and contact information such as your name, address, phone number, and email address, and to the extent you visit our offices, images from our CCTV systems;
- Government identifiers such as medicare numbers; and
- Information about your health condition including any medications you are taking and any adverse events.

How Gilead collects personal information

To the extent required by applicable privacy laws:

- Gilead will not collect *personal information* about you unless that information is reasonably necessary for one or more of our functions or activities; and
- Gilead will collect *personal information* only by lawful and fair means.

If we do not collect this information it may impact our ability to provide you with the relevant service, product or information, or to comply with any regulatory or legal obligations.

A. Directly from you

Gilead will collect your *personal information* directly from you where it is reasonable and practicable to do so. Generally, we collect this information from you in a number of ways:

- If you are a healthcare practitioner, during visits to you (including through a third party contract sales/marketing organisation);
- During telephone calls with you;
- From written or electronic correspondence you may have with us;
- When you visit our offices;
- Through our websites, including where our websites are hosted by a third party (e.g. when registering for a Gilead event), or third party websites where that website is operating on behalf of Gilead; or
- Through forms you complete and submit to us (such as adverse event reporting forms, applications to act as a clinical trial investigator, fellowship or grant applications).

When Gilead collects *personal information* directly from you, we will take reasonable steps at or before the time of collection to ensure that you are aware of certain key matters, such as:

- the purposes for which we are collecting the information,
- the organisations (or types of organisations) to which we would normally disclose information of that kind,
- how to contact us to request access or correction of your *personal information* that we hold, and
- what are the consequences (if any) if you decide not to provide your *personal information* to us.

For example, where *personal information* is collected on a form, we will generally include a statement on the form which sets out these details.

B. From third parties

We may also collect your *personal information* from third parties such as:

- Organisations that we engage to assist us to carry out our functions and activities (such as market research organisations, event management organisations and contract sales/marketing organisations);
- Healthcare providers or your colleagues; and
- Online directory providers or providers of customer contact databases.

We may also collect your *personal information* from public sources.

Where Gilead collects information about you from a third party or public sources, we will still take reasonable steps to ensure that you are or have been made aware of the key matters set out above.

Purposes for which Gilead collects, holds, uses and discloses personal information

Depending on the nature of your relationship with Gilead, Gilead may collect, hold, use, and disclose your personal information for any of the following purposes:

- For general sales and marketing, (including through a contract sales/marketing organisation) to provide you with information, about, and to discuss, Gilead products and other matters;
 - To assist in the organisation of educational, events and other meetings (including inviting speakers and attendees) and sponsorship for attendance at educational events and other meetings (including to organise travel to such events/meetings and accommodation);
 - To send educational materials to you and/or other information;
 - To administer research funding programs;
 - To conduct market research including in relation to prescribing practices;
 - To facilitate third parties to compile sales statistics and databases of healthcare practitioners;
 - To assist in providing you with medical information relevant to Gilead products;
 - To identify investigators to establish and conduct clinical trials (including clinical, trials run by a related body corporate of Gilead Australia), to invite you to be part of an advisory board, or to acquire general opinions on medical, and/or patient-related issues;
 - To evaluate and continue to develop and improve our products, services, and business processes;
 - To administer or facilitate patient support programs or patient familiarisation programs;
 - To comply with Gilead's legislative obligations, regulatory obligations, and any requirements under the Medicines Australia Code of Conduct (MA Code) including in relation to reporting of payments or non-monetary benefits to healthcare practitioners, and the Medicines New Zealand Code of Practice;
 - To comply with the internal policies and procedures of Gilead and its related bodies corporate including in relation to reporting of payments or non-monetary benefits provided to healthcare practitioners;
 - For adverse event reporting;
 - If you are a patient, to respond to your query, including to contact you. for follow up purposes and maintain a record of queries raised and responses provided; and
 - To manage our relationship with you including, for certain directors or employees of, or consultants to, Gilead, managing your participation in equity incentive plans.
- Gilead will only use or disclose your *personal information* for any additional purposes if it is incidental to or sufficiently connected/related to the primary purpose of collection of that information and you would expect Gilead to use or disclose your information in that way, you have consented to that use or disclosure or it is authorised by law.

Disclosures to third parties

Gilead may engage persons or organisations (for example, travel agents, professional, conference organisers, clinical research organisations, contract sales/marketing organisations, market research organisations and suppliers of sales statistics and healthcare practitioner databases) to

assist Gilead in carrying out the above purposes. In providing such services to Gilead, these persons or organisations may contact you directly.

Gilead may also disclose your *personal information* to:

- Its related bodies corporate (including sharing your personal information between Gilead Australia and Gilead New Zealand). Those companies will only collect, use and disclose your *personal information* for a purpose listed above or related purposes. They may disclose your personal information to the types of organisations mentioned above. You may be contacted directly by a Gilead affiliate;
- Regulatory authorities, including when notifying adverse events;
- Industry Bodies, including in the case of Transparency Data public disclosure in accordance with the MA Code;
- Law enforcement agencies to the extent permitted or required under applicable laws;
- Third parties that compile sales statistics and databases of healthcare practitioners; and
- Parties involved in a prospective or actual transfer of Gilead Australia's or Gilead New Zealand's assets or business.

Direct marketing

From time to time, Gilead may provide you with marketing material about Gilead products and services that we believe may be of interest to you including by email, SMS and telephone call.

If you do not want to receive marketing information about Gilead products and services from Gilead, you can withdraw your consent at any time by contacting the Privacy Officer, Gilead Sciences Pty Ltd (Australia), at the address below or by unsubscribing using an unsubscribe facility in an email or SMS.

Data quality, storage and security

Gilead may store *personal information* that we hold in hard copy documents or as electronic data in our software IT systems. Gilead will take reasonable steps to:

- Make sure that the *personal information* that we collect, use and disclose is accurate, complete and up to date; and
- Protect the *personal information* that we hold from misuse and loss and from unauthorised access, modification or disclosure.

We retain *personal information* that we hold for as long as it is necessary to perform the function in relation to which the information was collected. We may also retain *personal information* for longer periods to comply with legislative requirements for document retention. When we no longer need to use your *personal information* for any purpose mentioned above, we will take steps to properly de-identify or destroy it.

Website privacy practices

We sometimes use cookie technology on our websites to provide information and services to web site visitors. Cookies are pieces of information that a website transfers to your computer's hard disk for record keeping purposes and are a necessary part of facilitating online transactions. Most web browsers are set to accept cookies. Cookies are useful to estimate our number of members and determine overall traffic patterns through our websites.

If you do not wish to receive any cookies you may set your browser to refuse cookies. This may mean you will not be able to take full advantage of the services on the website.

Anonymity

Gilead will generally provide individuals with the option of not identifying themselves when entering transactions when it is lawful and practicable to do so. However, we may not always be able to do this.

Transfer of personal information overseas

Gilead Australia and Gilead New Zealand may share your *personal information* with each other as Gilead Australia carries out most back-office functions for Gilead New Zealand.

Some organisations to which we disclose *personal information* may also be located, or may store information on computer servers, outside Australia and New Zealand.

Gilead stores *personal information* on servers in the United States of America, the United Kingdom, and Ireland and shares personal information (including Transparency Data) between Gilead Australia and Gilead New Zealand as well as with personnel of Gilead's related bodies corporate. A list of countries in which Gilead has related bodies corporate can be found at www.gilead.com under "Global Operations".

Gilead may also disclose your *personal information* to overseas regulatory authorities, overseas event/conference organisers, international clinical trial sites, and, where Gilead may be organising travel on your behalf, overseas travel agents in any of the abovementioned countries.

If Gilead transfers your *personal information* to another party outside the country where it was collected, we will take such steps as are reasonable in the circumstances to ensure that your *personal information* will be protected in a way that overall, provides comparable safeguards to those provided by the privacy principles set out in the AUST Privacy Act and the NZ Privacy Act. We will also take such steps in relation to personal information shared between Gilead Australia, and Gilead New Zealand.

Access and correction of your personal information

Please contact Gilead if you would like to request access to or correction of the *personal information* that we hold about you. Gilead will generally provide you with access to your *personal information* if practicable, and will take reasonable steps to amend any *personal information* about you which is inaccurate or out of date. In some circumstances, Gilead may not permit access to your *personal information*, or may refuse to correct your *personal information*, in which case we will provide you with reasons for this decision in accordance with law.

Further information

Please contact us if you have any queries about the *personal information* that Gilead holds about you or the way we handle that *personal information*. Our contact details for privacy queries are set out below.

Privacy Officer, Level 6, 417 St Kilda Road, Melbourne, Victoria, 3000. Telephone: (03) 9272 4400. Facsimile: (03) 9272 4435 Email: AU.Privacy@gilead.com.

Further information about the application of the AUST Privacy Act and the NZ Privacy Act to the private sector generally can be found at the following websites:

- Australia: The Office of the Australian Information Commissioner at www.oaic.gov.au.
- New Zealand: The Office of the Privacy Commissioner at <https://www.privacy.org.nz/>.

Contact details

If you would like to know what *personal information* we hold about you and would like to request access to that *personal information*, or request that we change any inaccurate or out-of-date *personal information* that we hold about you, or if you have any concerns or complaints about the manner in which your *personal information* has been collected or handled by Gilead, please contact us.

Our contact details for this purpose are:

Privacy Officer, Level 6, 417 St Kilda Road, Melbourne, Victoria, 3000, Telephone: (03) 9272 4400, Facsimile: (03) 9272 4435 Email: AU.Privacy@gilead.com.

The address of Gilead Sciences (NZ) (New Zealand) is C/- Grant Thornton New Zealand Limited, Level 4, 152 Fanshawe Street, Auckland 1010

Gilead will respond to you within a reasonable period of time. It is our intention to use our best endeavours to resolve any concern or complaint to your satisfaction and to provide you with a copy of your file of *personal information* within 30 days in Australia or 20 business days in New Zealand.

If you are unhappy with our response, you may contact the Office of the Australian Information Commissioner if you are in Australia or the Office of the Privacy Commissioner if you are in New Zealand (see the details above).

Changes to our privacy policy

We may change this privacy policy from time to time. If you would like a copy of the current version of our privacy policy please contact the Privacy Officer and a copy will be provided to you free of charge or access our Privacy Policy at <http://www.gilead.com/about/worldwide-operations/australia>.

Effective Date	17/08/2021
Policy Owner	Natasha Bakshi
Policy Approver(s)	Ric Morgan
Version	4
Applicable To	Gilead Sciences Pty Ltd ABN 71 072 611 708 and Gilead Sciences (NZ) company number 1476178, its employees and contractors in Australia and New Zealand.