



# Privacy Notice

**Effective Date: 17, December 2020**

This Privacy Notice ("Privacy Notice") provides you with information on how Baxter Healthcare South Africa (Pty) Ltd together with its affiliates, successors, assignors and subcontractors ("Baxter," "we," "our" or "us") processes your personal data.

## Active Collection of Personal Data

### **What Personal Data Baxter Collects About You**

**Personal Data collected directly from you:** Baxter will collect the following personal data directly from you: first and last name, email, hospital or institution of your affiliation, city, state/province, postal code, country, mobile, fixed phone, fax, professional specialty, professional position, product area interest, interest in programs/activities and channels.

**Personal Data collected from third parties:** Baxter obtains the following types of personal data about you from third parties: your first and last name, hospital or institution of your affiliation, city, state/province, postal code, country of the hospital or institution with which you are affiliated and your professional specialty. Baxter obtains this personal data from third party companies that gather these details from publicly available sources, such as the website of your hospital or institution with which are affiliated.

Additional Data collected either from you or third parties: type of professional qualification/credentials (e.g. MD etc.) practicing status (active or not), publications, areas of international recognition (e.g. countries or regions where you are recognized), areas of specific competence or experience and expertise (e.g. speaking engagements, research activities, advisory boards etc.), memberships or participation in scientific associations, your experience with Baxter products or therapies, your participation in Baxter initiatives, your language capabilities, your CV, the IP address of your biographical or professional website. Finally, we may import a link to your LinkedIn profile, please note that LinkedIn falls under their respective privacy policy.

**Personal Data collected passively:** Baxter may collect personal data through the use of cookies or other similar technologies. This may vary based upon the unique features of the Baxter websites. Therefore, please review the cookies policy included in the bottom of the Local Baxter Website for any additional information, and you can always adjust your Cookie Settings.

### **Why we collect your personal data**

When Baxter collects your personal data directly from you or from third parties we may use the data for purposes of contacting you by phone and/or sending you, including via email, marketing communications to promote our products, therapies and services, providing you with other information about our products/therapies, including scientific information and research study papers and news, newsletters, as well as sharing information about events and educational opportunities in the areas of your interests. In addition to that we may use your personal data in order to reach out to you directly or through third parties to conduct Market Research Projects that aim to gather information from you on our products or therapies including your experience with them as well as information related to specific diseases that fall under Baxter's area of activity or interest. We may also store such data to further communicate with you on specific Market Research Projects or other activities you have participated. We do so on the basis on your consent. In the consent form, Baxter will ask you to provide information about your areas of interests and selected preferences. Providing us your personal data for the purposes described in the previous phrases is voluntary. If you do not consent to Baxter processing your personal data, we will not send you any of the above-mentioned communications or information. Please note that if you provide your consent, you may always withdraw it or change your preferences by following the instructions for unsubscribing available in the consent form. You can also withdraw your consent by contacting us using the contact details in the "How to contact us" section below. Note that withdrawal of your consent does not affect the lawfulness of processing of your personal data before your consent's withdrawal.

We may also process your personal data directly from you or from third parties or publicly available data bases in order to better understand your scientific background and the areas of your expertise as well as your professional preferences, interests, professional recognition and participation in scientific fora or associations, as well as your professional activities of choice, including research activities, publications, speaking activities, advisory boards, based also on Baxter's interaction with you, if it is the case. We do that in order to identify areas of collaboration with Baxter that would allow us to create opportunities to advance scientific exchange and medical care. We may

also process your personal data in order to email you a survey about our collaboration. We do so on the basis of our legitimate interests in managing our relationship with you and understanding your preferences and needs.

In certain instances, we may conduct automated processing of your data for the purposes of assessing your characteristics as a healthcare professional in relation to clinical preferences, scientific and educational activities of choice. We do so on the basis on your consent. Providing us your personal data for the purposes described in the previous phrases is voluntary. Please note that if you provide your consent, you may always withdraw it by contacting us using the contact details in the "How to contact us" section below. Note that withdrawal of your consent does not affect the lawfulness of processing of your personal data before your consent's withdrawal.

We also collect your personal data from you or third parties in order to directly communicate with you, keep accurate our databases and comply with legal obligations such as without limitation adverse events reporting. We do so on the basis of our legitimate interests to manage our relationship with us, or because we have a legal obligation.

In the event that we use your personal data for other purposes, not mentioned above, we will inform you about the specific purposes and, when required, on what basis we do so, at the time we collect the personal data from you to the extent required by law.

### **With whom we may share your personal data and international data transfers**

Baxter is a global company and for the purposes outlined above, Baxter may transfer your personal data to other Baxter group companies and Baxter's service providers acting on behalf of Baxter, such as providers of IT system administration and user support services, and providers of IT tools for consent management and mailing services. These third parties are restricted from using your personal data in any way other than to provide services for us and we require them to provide an adequate level of protection for your personal data. For more information about Baxter's service providers, please contact us at [privacy@baxter.com](mailto:privacy@baxter.com).

Some of the recipients referred to above will be located or may have relevant operations outside of your country, such as in the United States, where the data protection laws may not provide a level of protection equivalent to the laws in your country. Baxter employs measures to provide an adequate level of data protection, such as Standard Contractual Clauses as in force, ensures that all data recipients will provide an adequate level of protection for the personal data, and that appropriate technical and organizational security measures are in place to protect your personal data.

If we are involved in a sale or transfer of all or some of our business assets or operations via a share or asset deal, your personal data may be transferred to the acquiring organization who shall take at least the same or higher standards of care in the treatment of your personal data. Should such a sale or transfer occur, you will be informed about this and may withdraw your consent to or - as applicable - object to the transfer of your personal data to, and processing and use of your personal data by the transferee.

### **How long we keep your personal data**

Generally, your data will not be kept for a longer period that is legally required or justified for the purposes of the process. Additionally, your personal data will be kept for the following time periods:

- If you have given us your consent to send you marketing, commercial and related types of communications, we will keep your data until you withdraw your consent to receive these communications or until we no longer send these types of communications;
- If we have collected your personal data solely to send you the surveys mentioned herein, we will keep your contact details until you opt-out of receiving them or until we no longer need to send you such surveys, whichever happens first. As part of those surveys, we will retain your survey data for as long as you remain a customer of Baxter and we need the information to help us understand how we are performing.
- If we have collected your data indirectly, i.e. from third parties, we will keep your data until our first contact with you and further retention would be subject to your receipt of this privacy notice and/or your consent as applicable. If such contact cannot be performed within a reasonable period of time from the collection day of your data, the data will be deleted.

### **Your rights**

In certain circumstances, local data protection laws and certain local laws (including the GDPR) give you rights with respect to your personal data. These rights differ by country/region. You can request:

- Access to or copies of your personal data, including knowing whether we hold personal data about you, and, if so, what kind and for what purposes. You can also request information about who has received your personal data.

- That we correct of your personal data if you think it is inaccurate or incomplete or request that we erase or delete your personal data, unless we have a legal obligation to hold it or are otherwise permitted by applicable law to retain it.
- Us to restrict the processing of your personal data and not to delete it.
- That we provide you with your personal data that we obtained from you so that you can store and re-use it for your personal use, and you can ask us to provide this personal data to another entity.

You can exercise your rights by contacting your local Baxter entity using the contact details provided in the *"How to contact us"* section.

As described above you also have the right to withdraw your consent or object to our using and disclosing your personal data for purposes of direct marketing or if based on our legitimate interests. You can do so at any time "opting-out" of the marketing or other types of communications described above that you receive based upon your consent, as well as the surveys in accordance with the unsubscribe instructions included in the specific communications. If you are unable to object by opting-out in this manner, please contact us using the contact details provided below. If you believe we are using, disclosing or otherwise processing your personal data in a way that is not in accordance with the law you can lodge a complaint with a data protection authority in your country.

We will handle any request to exercise your rights in accordance with applicable law. Please note that depending on the circumstances, some of the above rights may not apply.

### **Security**

We have reasonable and appropriate security measures in place to protect against the loss, misuse, and alteration of any personal data we receive about you through the Local Baxter Websites. We maintain reasonable security standards to protect the personal data that we maintain. If you have any questions about the security of your personal data, you can contact us by using the other contact details in the *"How to contact us"* section above.

### **How to contact us**

Please address your requests or questions concerning the processing of your personal data to:

Privacy Officer  
Baxter Healthcare South Africa (Pty) Ltd  
The Campus – Eden Gardens Building  
57 Sloane Street Cnr Main Road, Bryanston.  
PO Box 70562, Bryanston, 2021  
South Africa  
T: +27 11 790 2000

You can also exercise any or your rights or get additional information about your rights, this Notice, or how we process your personal data, by contacting Baxter's Data Protection Officer by email to: [privacy@baxter.com](mailto:privacy@baxter.com);