



# BAYER AUSTRALIA POLICY

## PRIVACY

**Policy Owner:** Law, Patents & Compliance

**Policy Effective:** 10 June 2015

**Last Reviewed:** 20 October 2015

**Policy Approved By:** CGC

# TABLE OF CONTENTS

- 1. SCOPE.....3
- 2. PURPOSE.....3
- 3. WHAT INFORMATION DOES BAYER COLLECT AND HOLD?.....3
  - 3.1 CUSTOMERS AND THE GENERAL PUBLIC .....3
  - 3.2 OTHER INDIVIDUALS SUCH AS GENERAL BUSINESS CONTACTS, THIRD PARTY CONTRACTORS AND JOB APPLICANTS .....3
  - 3.3 HEALTH PROFESSIONALS .....3
- 4. HOW WILL BAYER COLLECT AND HOLD YOUR PERSONAL INFORMATION?.....4
- 5. COLLECTION THROUGH BAYER WEBSITES .....4
- 6. WHAT DOES BAYER DO WITH YOUR PERSONAL INFORMATION?.....4
  - 6.1 USE .....4
  - 6.2 DIRECT MARKETING .....5
  - 6.3 DISCLOSURE .....5
  - 6.4 OVERSEAS RECIPIENTS .....5
  - 6.5 SECURITY AND RETENTION.....6
  - 6.6 ACCESS AND CORRECTION.....6
  - 6.7 ENQUIRIES AND COMPLAINTS .....6

## 1. SCOPE

This Privacy Policy documents the handling of personal information by Bayer Australia Limited, and Bayer CropScience Pty Ltd (collectively referred to as "Bayer"). 'We', 'our' and 'us' refers to Bayer.

## 2. PURPOSE

Bayer recognises the importance of your privacy and is committed to the management and handling of personal information in an open and transparent way.

Bayer is required to comply with the Australian *Privacy Act 1988* (Cth) ("Privacy Act") and this policy sets out how Bayer seeks to ensure that any personal information we hold about you is collected, used, stored and disclosed in accordance with the Australian Privacy Principles in the Privacy Act.

In this policy 'personal information' and 'sensitive information' have the same meaning as in the Privacy Act.

This policy does not apply to the handling of personal information about Bayer employees. Employee records are exempt from the Privacy Act, but Bayer has a separate employee privacy policy.

## 3. WHAT INFORMATION DOES BAYER COLLECT AND HOLD?

Bayer may hold information about individuals who may be members of the general public, customers, business contacts, health professionals and others.

The information Bayer typically holds includes:

### 3.1 Customers and the General Public

- Your name, relevant address, telephone number(s) and email address;
- Dealings with Bayer such as product enquiries and complaints, product promotional activities (non-prescription), adverse event reporting purposes and medical enquiries.

### 3.2 Other individuals such as general business contacts, third party contractors and job applicants

- Your name, business address, business telephone number(s) and email address;
- Dealings with Bayer in respect of general business relationships, or work and employment references, reports and assessments.

### 3.3 Health Professionals

- Your name, business address, business telephone number(s) and email address;
- Professional details;
- Practice specialty including areas of interest;
- Membership of professional associations;
- Practice and/or business information including where applicable interest in Bayer products and usage;
- Dealings with Bayer in respect of medical enquiries, adverse event reporting, product complaints, clinical trial involvement, details of sales representative appointments;
- In accordance with the transparency requirements of the Medicines Australia Code of Conduct, a description of any event you attend or services you provide to Bayer in respect of pharmaceutical company sponsored programs such as seminars and meetings but also transfers of value for services/activities performed by you, expenses (including air travel, accommodation and registration fees paid by Bayer and/or

reimbursed to you/your employer and any transfers of value made to third parties as directed by you.

**4. HOW WILL BAYER COLLECT AND HOLD YOUR PERSONAL INFORMATION?**

We will, wherever possible, collect information about you directly from you. However, on some occasions it may be collected from other sources, such as:

- Agents or service providers including third party data providers and customer relationship management service providers;
- Publicly available directories and listings such as telephone directories;
- Newspapers, magazines, professional journals and the electronic media;
- The internet and other electronic communications such as articles and information pieces in which you feature such as a health information site or a medical professional site;
- The date, time and domain from which you access a Bayer website;
- Personal interactions and/or communications with Bayer staff.

The personal information Bayer collects may vary depending on your particular interaction with Bayer and will be for a legitimate business purpose. Bayer will not collect sensitive information about you, such as information about your health, race or professional associations, without your consent.

**5. COLLECTION THROUGH BAYER WEBSITES**

In addition to some websites which provide for direct input of personal information, most Bayer websites make use of ‘cookies’ which are small text files that are stored in the visitor's local browser cache. Using such cookies it is possible to recognise the visitor's browser in order to optimise the website and simplify its use. Data collected via cookies will not be used to determine the personal identity of the website visitor. Most browsers are set up to accept these cookies automatically. In addition, you can deactivate the storing of cookies or adjust your browser to inform you before the cookie is stored on your computer. Some Bayer websites may not offer full functionality unless you accept cookies.

Bayer increasingly makes use of web analytics, including analysis by third party service providers, which may use IP addresses. While this may in some circumstances be ‘personal information’ neither Bayer nor the service providers have any interest in individuals’ browser activities and will not use the information to take any action targeted to individuals without having obtained the relevant person’s consent.

Bayer will also not collect, process or use on our websites information relating to an individual we know to be under 13 years of age, without the prior consent of his or her legal representative. Such legal representative has the right, upon request, to view the information provided by the child and/or to require that it be deleted.

**Cookies used on standard Bayer websites**

<b>Name</b>	<b>Purpose</b>	<b>Lifespan</b>
WT_FPC	The anonymous identification of a visit for statistical analysis in order to optimize the website. No personal data is collected.	30 days
version	Choice for the mobile or desktop website.	60 days

**6. WHAT DOES BAYER DO WITH YOUR PERSONAL INFORMATION?**

**6.1 Use**

Personal information collected and held by Bayer may be used for one or more of a variety of purposes depending on the circumstances. These generally include:

- Ordinary business, sales and customer service functions including: communicating with you, order processing and fulfilment, accounting and responding to enquiries or complaints;

- Meeting legal requirements such as notification of product withdrawals and recalls and monitoring compliance with relevant regulations and codes of conduct;
- Maintaining a record of medical queries and adverse events/product technical complaints;
- Bayer's marketing and market research (including generating customer lists for market research, gaining insights into product use and prescribing practices, sending you product information that may be of interest to you) ;
- Facilitating and planning meetings between Bayer staff and healthcare professionals, customers and distributors;
- Enabling your participation in activities conducted by Bayer (including patient support programs, conferences, clinical trials);
- Facilitating the provision of products and services to Bayer.

## 6.2 Direct Marketing

You may request that we do not send you information regarding our programs, events, services or products which we think may be relevant to you (direct marketing). In such a case, we will take reasonable steps to ensure we do not send you marketing material.

## 6.3 Disclosure

Bayer may disclose information about you in the course of any of the uses described above, including to related businesses and third party service providers, such as for order delivery; marketing; hosting, data storage or archiving; data processing and validation; printing and mailing; and organising conferences. Bayer will use only reputable service providers and will ensure that contractual provisions safeguard your privacy.

To provide services to healthcare professionals, Bayer uses a third party (Customer Database Provider) to supply us with a syndicated database of healthcare professionals and their practices. To ensure that we have access to the most up to date information, we may disclose some information about healthcare professionals and their practices to our Customer Database Provider. The information we disclose is limited to professional information about healthcare professionals and their practices. The information is used for commercial purposes. The Customer Database Provider makes that information available to all parties who also have access to our Customer Database Provider's database, including pharmaceutical companies other than Bayer.

The provision of services to healthcare professionals is dependent upon our use of a Customer Database Provider in the manner referred to in this policy. If you, as a healthcare professional, do not consent to Bayer disclosing information to our Customer Database Provider, we will comply with your request but we may no longer be able to provide you with our services.

In circumstances where Bayer buys or sells (or proposes to buy or sell) all or part of its business, Bayer may disclose your personal information to a third party as customer information is generally regarded as a business asset.

We will otherwise only disclose personal information about you to a third party where required by law, including to regulatory authorities. Bayer is required by law to report adverse events to relevant regulatory authorities (such as the Therapeutic Goods Administration and Australian Pesticides and Veterinary Medicines Authority).

## 6.4 Overseas Recipients

Bayer is a member of the Bayer Group of Companies, a global organization with offices within and outside of Australia.

Information held by Bayer about you may in some circumstances be stored on Bayer databases housed in overseas locations including but not limited to Germany, China, Singapore, the Philippines and the United States of America. For example, in order to facilitate the receipt and payment of accounts, Bayer must transfer personal information

overseas to the Philippines. All Bayer companies are committed to compliance with internal data protection policies which contain provisions substantially similar to the Australian Privacy Principles and in many cases to similar laws in the other jurisdictions.

Bayer also deals with external service providers located in countries within and outside of Australia, such as in Singapore, and in such cases, Bayer takes reasonable steps, including by contract provisions, to ensure that these service providers do not breach the Australian Privacy Principles.

## 6.5 Security and Retention

Bayer uses technical and organisational security precautions to protect your data from misuse, interference or loss and from unauthorised access, modification or disclosure. Any personal data that is provided to Bayer by you through Bayer systems will be encrypted in transit to prevent its possible misuse by third parties. Our security procedures are continuously revised based on new technological developments.

Bayer will delete from its records personal information no longer required or if we are *required* to retain it (e.g. clinical trial records, or tax information), then wherever practicable it will be held in a form that does not permit your identity to become apparent.

You may notify us at any time that you do not wish us to retain your personal information, and wherever practicable and lawful we will comply with such a request.

## 6.6 Access and Correction

You may request access to personal information Bayer holds about you and may seek to have it corrected if you believe it is inaccurate, out of date, incomplete, irrelevant or misleading.

Access or correction requests should be sent to the Privacy Officer at the address below.

Your request should give as much detail as possible to help us locate information about you such as your name, contact details, any former name, and if possible the context, for example, your relationship with us. Please specify any particular information to which you are seeking access.

Bayer will respond to your request within 30 days of receipt or within any further time notified to you in writing.

## 6.7 Enquiries and Complaints

All enquiries or complaints regarding your personal information should be made in writing to:

*The Privacy Officer  
875 Pacific Highway  
Pymble NSW 2073  
Australia  
Phone: +61 2 9391 6000  
Or by email: [privacy.officer@bayer.com](mailto:privacy.officer@bayer.com)*

Bayer will respond to your complaint within 30 days of receipt of your correspondence or within any further time notified to you in writing. If you are not satisfied with the outcome of the response you receive, we can refer you to the Office of the Australian Information Commissioner (as applicable) for further investigation.

Bayer reserves the right to make changes to this Privacy Policy from time to time, but will ensure that they are posted to our websites without delay.