



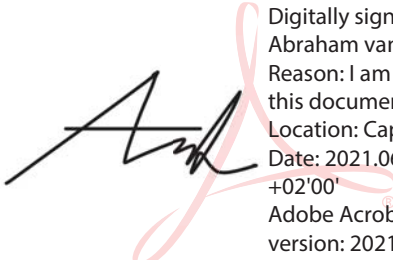
Procedural Document number: PC-GM-07	Version number: 00
Policy	Previous reference number: NA
Author of Procedural Document: A Ungerer: Human Resources & Legal Manager	Title: TCD Online Services Privacy Policy
Reviewed by: B Hohl: Training Manager CC van Huyssteen: Senior Quality Assurance Associate J Koegelenberg: Quality Assurance Associate B Theron: Consultant Quality Assurance L Duursema: Director Quality Assurance LG Herbst: Chief Operating Officer	Approval date: 2021-Jun-30
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Approved by: AA van Wyk: Chief Executive Officer	Page 1 of 11

1.0 Purpose

The purpose of this Privacy Policy is to assure that Triclinium Clinical Development (Pty) Ltd (“TCD”) and its subsidiary and affiliated companies (if applicable) [referred to as “TCD” or “TCD Global” for the purpose of all global Procedural Documents (PROC DOCS)] adhere to the Protection of Personal Information Act 4 of 2013 (hereinafter “POPIA”), the Electronic Communications and Transactions Act 25 of 2002 (hereinafter “ECTA”), the European Union General Data Protection Regulation (hereinafter “GDPR”), the Health Insurance Portability and Accountability Act (hereinafter “HIPAA”) and other applicable data protection laws (hereinafter “Data Protection Laws”).


2.0 Scope and responsibilities

This Privacy Policy applies to Personal Information (subject hereto that such Personal Information falls within the application of POPIA) that TCD collects from you during your interactions with TCD, including through TCD’s websites (including mobile sites) and social media sites, mobile sites/applications and/or other online platforms (collectively “Online Services”) that link to this Privacy

APPROVAL
<div style="text-align: center;">  </div> <div style="text-align: right; margin-top: 10px;"> <p>Digitally signed by Abraham van Wyk Reason: I am approving this document Location: Cape Town Date: 2021.06.30 12:49:16 +02'00' Adobe Acrobat Reader version: 2021.001.20135</p> </div> <div style="margin-top: 20px;"> <p>AA van Wyk Chief Executive Officer</p> </div>

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Policy, in writing or orally, or Personal Information that TCD may collect offline or receive from third parties.

This Privacy Policy applies to you if you:

- Are a visitor to the TCD website;
- Create a user account on a TCD Online Services/Electronic Platform;
- Add to and manage your personal profile on a TCD Online Service/Electronic Platform;
- Contact or communicate with TCD via an Online Service/Electronic Platform.

You accept all the terms of this Privacy Policy when you register on a TCD Online Service. If you do not agree with anything in this Privacy Policy or subsequent updates (refer to Section 19.0 below), then you may be able to modify your browser and/or mobile device settings so you are notified when receiving cookies, or you can choose to restrict or block cookies. Please be aware that parts of our websites may not function correctly if you disable cookies.

Any suspected Security Breach or compromise of Personal Information or confidential information will be addressed as detailed in PC-GM-05 “Privacy, Security and Protection of Personal Information”.

3.0 Templates

None.

4.0 Key definitions and clarifications

Cookies: A small text file (up to 4KB) created by a website that is stored in the user’s computer either temporarily for that session only or permanently on the hard disk (persistent cookie). Cookies provide a way for the website to recognise you and keep track of your preferences.

Data: Information, facts and statistics used for reference or analysis in electronic form.


Data Subject: The person to whom the personal information relates.

Electronic Platform: A secure electronic system used by authorised TCD staff in accordance with their documented access rights for the delivery of electronic information (including, without limitation, documents).

IP address: A unique address that identifies a device on the internet or a local network.

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Information Regulator: An independent body established in terms of Section 39 of POPIA, empowered to monitor and enforce compliance by public and private bodies with the provisions of POPIA. “Regulator” will have a corresponding meaning.

Online Services: A system/platform that collects Data during a user’s interaction with that system/platform and includes without limitation the TCD website (including mobile sites) and social media sites (Facebook, LinkedIn etc.) mobile sites/applications and/or other online platforms.

Personal Information: Information relating to an identifiable, living natural person, and where it is applicable, and identifiable, existing juristic person, including, but not limited to (a) information relating to the race, gender sex, pregnancy, marital status, nationality, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture or employment history of the person; (b) information relating to the education or the medical, financial, criminal or employment history of the person; (c) any identifying number, symbol, email address, physical address, telephone number, location information, online identifier or other particular assignment to the person; (d) the biometric information of the person; (e) the personal opinions, views, or preference of the person; (f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the content of the original correspondence; (g) the views or opinions of other individuals about the person; and (h) the name of the person if it appears with other Personal Information relating to the person or if the disclosure of the name itself would reveal information about the person. “Personal Data” has a corresponding meaning. Without limiting the generality of the foregoing, Personal Information must always be treated as Confidential Information, even after the individual’s death. It should be noted that Personal Information which has undergone Pseudonymisation and/or was de-identified, and which can be attributed to a Data Subject by the use of additional information and/or deidentified should be considered as Personal Information.


POPIA: The Protection of Personal Information Act 4 of 2013, as amended.

Traffic data: Any data processed for the purposes of the conveyance of a communication on an electronic communications network in respect of that communication and includes data relating to the routing, duration or time of a communication.

User: A person who uses a computer and/or other devices to access an Online Service.

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Web browser: An application used to access and view this website. Well known web browsers include Internet Explorer, Google Chrome and Safari.

5.0 Related documents

- GL-GM-02: Risk Management.
- ML-GM-01: Employee Manual.
- ML-GM-02: Promotion of Access to Information Manual.
- OP-GM-03: Confidentiality of Information.
- OP-IT-01: Security, Management and Use of Information Technology.
- OP-PM-01: Clinical Trial Agreements.
- PC-GM-01: Code of Conduct.
- PC-GM-05: Privacy, Security and Protection of Personal Information.
- WI-GM-01: Good Documentation Practice.

6.0 Personal Information that TCD collects

Users that communicate with TCD through an Online Service/Electronic Platform will no longer be anonymous to TCD, since users will provide certain Personal Information to TCD.


Personal Information is any information that identifies users as an individual or relates to users as an identifiable individual. Depending on how users interact with TCD, Personal Information TCD collects may include without limitation, a user's name and surname, email address, telephone number, log-in and account information for authentication purposes and account access, gender, qualification and experience details and other detail relating to TCD's Online Services/Electronic Platform, including, but not limited to, traffic data, location data, weblogs and other communication data; information that users provide to TCD, including records of correspondence; marketing and other preference information; and social media account information.

TCD may also collect other information that does not personally identify users. Such other information includes browser and device information, website and application usage data, IP addresses, demographic information such as marketing preferences, geographic location, primary language, and information collected through cookies and other technologies or information that has been anonymised or aggregated. If TCD links this information with user's Personal Information, TCD will treat that linked information as Personal Information.

Note: It is possible to modify and/or block the installation of cookies sent by the website of TCD, however the quality of the operations of the services may be affected (PC-GM-05).

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Users can choose not to provide Personal Information to TCD when requested. However, if this is necessary to provide users with TCD's solutions and services, access to TCD's Online Services/Electronic Platform, or to perform administrative functions, TCD may be unable to do these things.

7.0 Sensitive Personal Information

TCD does not collect sensitive Personal Information about users, e.g. information relating to health, religion, political beliefs, race or sexual orientation via our Online Services/Electronic Platforms and ask that users do not send or provide this information to TCD unless specifically requested to do so in writing and via a documented consent process.

8.0 How TCD collects your Personal Information

TCD may collect Personal Information from users in a variety of ways when users interact with TCD, including without limitation when:

- You access TCD's Online Services or interact with TCD in any other way.
- You reach out to TCD regarding potential business opportunities and/or TCD's services, you create an account with TCD on one of our online platforms, perform administrative and business functions and when you communicate with TCD.
- TCD responds to your enquiries and requests, obtain feedback from you about our services or you apply for employment with TCD.

TCD collects Personal Information from third parties, including public databases, social media sites, business partners with whom TCD offers services or engage in joint marketing activities and third parties that provide list enhancement or similar services.

When users use TCD's Online Services/Electronic Platforms, TCD and third parties TCD engages with may automatically collect data, including Personal Information through use of cookies and similar technologies.


9.0 Legal basis for processing Personal Information

When TCD process Personal Information in connection with the purposes set out in this Privacy Policy, TCD may rely on one or more of the following legal bases, depending on the purpose for which the processing activity is undertaken and the nature of TCD's relationship with the user:

- Our legitimate business interests (or those of a third party with whom we share users Personal Information) for the purpose of managing, operating or promoting our business, include marketing, for business and administrative purposes, except where such interests are overridden by

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users interests or fundamental rights or freedoms which require protection of Personal Information; and/or

- Where this is necessary to comply with a legal obligation on TCD; and/or
- To protect the vital interests of any individual; and/or
- Where users have consented to the use of their Personal Information.

10.0 Use of Personal Information

TCD may use Personal Information to enable users to effectively use and to improve TCD's Online Services/Electronic Platforms. For example, to:

- Perform administrative and business functions and internal reporting.
- Send administrative information to users.
- Obtain feedback from users about our services including through client satisfaction surveys, in which event, TCD will only use Personal Information for the sole purpose of sending users a survey (through our third party email delivery provider).
- Respond to enquiries and fulfil requests by users.
- Assess the performance of Online Services/Electronic Platforms and to improve their operation.
- Inform users about and provide users with TCD's services and solutions.
- Update TCD's records and keep contact details up to date.

TCD engages in these activities to manage TCD's contractual relationship with users, to comply with TCD's legal obligations, or for TCD's legitimate business interests.


11.0 Sharing Personal Information

TCD may share Personal Information for the purposes set out in this Privacy Policy (as applicable):

- With TCD's direct and indirect affiliates and subsidiaries for the purposes set out in this Privacy Policy. TCD is the party responsible for the management of jointly used Personal Information.
- With business partners with whom TCD offers services or engage in joint marketing activities.
- With service providers to provide operational services or facilitate transactions on TCD's behalf, including but not limited to processing of orders, assisting with services, client support, email delivery, data analytics and auditing.
- Where Data Subjects consent to the sharing of their Personal Information.

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- In connection with, any joint venture, merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of TCD's business by or to another company.
- For other legal reasons.
- TCD may share Personal Information in response to a request for information by a competent authority in accordance with, or required by any applicable law, regulation or legal process:
 - Where necessary to comply with judicial proceedings, court orders or government orders; or
 - To protect the rights, property or safety of TCD, its business partners, Data Subjects, or others, or as otherwise required by applicable law.

Any third parties with whom we share Personal Information are contractually required to implement appropriate data protection and security measures to protect Personal Information and are not permitted to use Personal Information for any purpose other than the purpose for which they are provided with or given access to Personal Information (OP-PM-01).

12.0 Security of your Personal Information


TCD is committed to protecting Personal Information from accidental or unlawful destruction, loss, alteration, unauthorised access or disclosure by using a combination of physical, administrative and technical safeguards and contractually requiring that third parties to whom TCD discloses Personal Information do the same.

However, while TCD have implemented reasonable technical and organisational precautions to protect the security and integrity of Personal Information, due to the inherent nature of the internet as an open global communications vehicle, TCD cannot guarantee that information, during transmission through the internet or while stored on TCD's systems or otherwise in TCD's care, will be absolutely safe from intrusion by others, such as hackers.

TCD maintains physical, electronic and procedural safeguards to protect Personal Information. We strive to protect information transmitted on or through TCD's Online Services/Electronic Platforms, however, TCD cannot and do not guarantee the security of any data or information TCD transmits on or through the Online Services/Electronic Platforms, and users do so at their own risk. TCD cannot and do not guarantee the security of users' data or information.

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13.0 Cross border transfers

As a global company, TCD may transfer Personal Information to countries where TCD does business or to international organisations in connection with the purposes identified above and in accordance with this Privacy Policy.

Where TCD transfers Personal Information to a country or international organisation that does not provide a level of protection for Personal Information which the POPIA Information Regulator deems adequate, TCD enters into a Data Processing Agreement to ensure adequate protection measures.


14.0 Data Subject's rights under Data Protection Laws

TCD adheres to applicable Data Protection Laws in South Africa, which provide Data Subjects with certain rights relating to Personal Information (subject hereto that such Personal Information fall within the application of the POPIA and further subject to the limitations as set out in POPIA). Data Subjects' rights include without limitation:

- The right to access Personal Information that TCD processes about them.
- The right to rectify inaccurate Personal Information TCD holds about them without undue delay, and taking into account the purposes of the processing, to have incomplete Personal Information about them completed.
- The right to ask TCD to delete their Personal Information without undue delay in certain circumstances.
- The right to restrict the processing of their Personal Information in certain circumstances.
- Where TCD processes Personal Information based on a Data Subject's consent, the Data Subject has the right to withdraw his/her consent at any time for future processing.
- Where TCD processes Personal Information based upon TCD's legitimate interests or those of a third party, the Data Subject has the right to object to the processing of Personal Information at any time (including to any profiling).
- Where TCD processes Personal Information for direct marketing purposes, the Data Subject has the right to object to processing of his/her Personal Information at any time, including profiling to the extent that it is related to such direct marketing.
- The right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning Data Subjects or similarly significantly affects Data Subjects.
- The right to lodge a complaint to the Information Regulator.

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TCD will consider such requests and respond to requestors within 30 (thirty) days. TCD may require verification of a requestor’s identity before providing a copy of the Personal Information, as permitted by law (ML-GM-01).

15.0 Cookies and Similar Technologies


When users access TCD’s Online Services/Electronic Platforms, TCD uses Cookies and similar technologies. TCD uses Cookies to assist with activities such as:

- Ensuring that web pages can function properly.
- Know user navigation and user experience.
- Collect anonymous statistical information, such as which sections have been visited, and how long a user has been in the TCD environment.

These technologies collect information that users browsers send to TCD’s Online Services/Electronic Platforms including an user’s browser type, information about IP address (a unique identifier assigned to a user’s computer or device which allows a user’s PC or device to communicate over the Internet), together with the date, time and duration of a user’s visit, the pages users view and the links users click (PC-GM-05).

16.0 Links to third party websites and applications

TCD’s Online Services/Electronic Platforms may contain links to third party websites and applications. Some of the content, advertising, and functionality on TCD’s Online Services/Electronic Platforms may be provided via third parties that are not affiliated with TCD. For example, TCD enables users to share certain materials with others through social networking services such as Facebook and LinkedIn. TCD are not responsible for and make no representations or warranties in relation to the privacy practices or content of any third-party websites, service functionality provided and applications. These third parties may collect or receive certain information about users of the websites (including through the use of cookies, beacons, and similar technologies) and such information may be collected over time and combined with information collected across different websites and online services. TCD do not control the data collection and use practices of these companies and users should check the relevant privacy notices and policies before using the services provided by these companies. Users use of such sites and applications are subject to the applicable third-party privacy statement/policy and are at users own risk.

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17.0 Direct marketing

TCD may send direct marketing communications about TCD’s solutions and services. Recipients thereof can choose whether they wish to receive marketing communications from TCD by email, SMS, and phone. Recipients may opt out of receiving marketing materials from TCD at any time and manage their communication preferences by contacting TCD by using the contact details on TCD’s website. Recipients should include their contact details and a description of the marketing material they no longer wish to receive from TCD. TCD will comply with such requests as soon as is reasonably practicable.

If recipients opt out of receiving marketing related communications from TCD, TCD may still send recipients administrative messages as part of their ongoing use of our solutions and services, which recipients will be unable to opt out of.

TCD do not provide Personal Information to unaffiliated third parties for direct marketing purposes or sell, rent, distribute or otherwise make Personal Information commercially available to any third party.

18.0 Retaining Personal Information

TCD will retain Personal Information for as long as is necessary to fulfil the purpose for which it was collected unless a longer retention period is required to comply with legal obligations, resolve disputes, protect assets or enforce agreements. The criteria TCD uses to determine retention periods include without limitation, whether:


- TCD’s legal, contractual or other obligation to retain Personal Information, or as part of a business agreement, an investigation or for litigation purposes.
- Personal Information is needed to maintain accurate business and financial records.
- There are automated means to enable users to access or update their Personal Information at any time.
- The Personal Information is sensitive Personal Information in which event TCD will generally retain this for a specific purpose and limited period of time.
- You have consented to TCD retaining your Personal Information for a longer retention period, in which case, TCD will retain Personal Information in accordance with your consent.

19.0 Updates to this Privacy Policy

TCD reserves the right to update, amend or modify this Privacy Policy at any time without. The “Document History” section at the bottom of this Privacy

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Policy reflects all updates, amendments and modifications made to this Privacy Policy.

We encourage you to regularly review this Privacy Policy to stay informed about our privacy practices.

20.0 How to contact us

If you have any questions about how your Personal Information is processed by TCD, you have a privacy concern or you wish to make a request or a complaint relating to your Personal Information, please contact our Information Officer and/or HR & Legal Manager by using the following email address DataProtection@TCD-Global.Com and/or the contract details and process as set out in the TCD PAIA Manual with is available on the website of TCD at <https://www.tcd-global.com/>.

21.0 References and Regulatory Documents

- Electronic Communications and Transactions Act 25 of 2002, as amended.
- European Union (EU) Data Protection Directive (95/46/EC).
- Health Insurance Portability and Accountability Act (HIPAA) of 2013, as amended.
- ICH E6(R2) Integrated Addendum to ICH E6(R1): Guideline for Good Clinical Practice (2016) and subsequent versions.
- Protection of Personal Information Act no 4 of 2013 (POPIA), as amended.
- Promotion of Access to Information Act 2 of 2000 (PAIA), as amended.
- Regulation (EU) 2016/679 of the European Parliament, repealing Directive 95/46/EC (General Data Protection Regulation).
- South African Good Clinical Practice: Clinical Trial Guidelines. Third edition, 2020. Department of Health, South Africa, and subsequent updates.
- United Kingdom Data Protection Act (2018), as amended.
- United States Privacy Act of 1974, as amended.

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