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## MAYNE PHARMA GROUP LIMITED

# PRIVACY POLICY

**This Privacy Policy includes the following sections:**

**Part A – Mayne Pharma’s Personal Information Handling Practices**, which explains Mayne Pharma’s general information handling practices across the organization, including information about how Mayne Pharma collects, uses, discloses and stores your personal information.

**Part B – Mayne Pharma Website**, which describes the types of personal information Mayne Pharma collects through [www.maynepharma.com](http://www.maynepharma.com) (the “Website”), and how we collect, use, and share that information. Part B does not govern our collection of personal information through any website or other means, other than through the Website.

**Part C – Complaints and Questions**, which explains how you may complain about our information handling practices or ask questions about privacy.

## Part A – Mayne Pharma’s Personal Information Handling Practices

Mayne Pharma is committed to the right to protecting the privacy of personal information in accordance with Australian privacy laws including the Privacy Act 1988 (Cth) and the Australian Privacy Principles in the Act and applicable State and/or Territory health records legislation.

This Part A explains our general information handling practices across the organisation including the purposes for which Mayne Pharma Group Limited and its Australian subsidiaries, Mayne Pharma International Pty Ltd, Mayne Products Pty Ltd and Mayne Pharma Ventures Pty Ltd (**Mayne Pharma**) will collect, use, store and disclose personal information. It also outlines the rights of individuals to access the information we hold and to update or correct the information.

### Application

Personal information will only be used for the purposes set out in this Privacy Policy unless Mayne Pharma is required by law to disclose specific information about an individual.

We collect personal information from and/or about:

- our customers
- our suppliers
- health professionals
- business contacts
- employees
- contractors and agents
- applicants for employment

### Definitions

#### *collect*

An organisation collects personal information if it gathers, acquires or obtains personal information from any source and by any means (including generating it from other data it holds) and holds it in a record or a generally available publication including in hard copy on a device or database.

*personal information* Is information or an opinion (whether true or not or recorded in a material form or not) about an identified individual or an individual who is reasonably identifiable. It may range from the sensitive (for example, medical history or health information) to the everyday (for example, address and phone number). It includes the opinions of others about an individual's work performance (whether true or not), work experience and qualifications, aptitude test results and other information obtained by Mayne Pharma in connection with possible work placements or recruitment.

*sensitive information* (a) information or an opinion about an individual's: (i) racial or ethnic origin; or (ii) political opinions; or (iii) membership of a political association, religious beliefs or affiliations, or philosophical beliefs; or (vi) membership of a professional or trade association or trade union; or (viii) sexual orientation or practices; or (ix) criminal record, that is also personal information; or

(b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or (e) biometric templates.

### **Dealing with us anonymously**

Individuals may deal with us anonymously or use a pseudonym (e.g. when enquiring about our products and services generally) unless we are required or authorised by an Australian law or court/tribunal order to only deal with someone who has identified themselves or it would be impracticable for us to deal with an individual who has not identified themselves or who is using a pseudonym.

### **Collecting Personal Information**

#### Why do we collect personal information?

Mayne Pharma will collect personal information if it is reasonably necessary for the purpose of carrying out the functions and activities of its business including to:

- develop, manufacture, import, distribute, sell and promote pharmaceutical products and services;
- direct marketing communications to customers;
- undertake research and development;
- administer and manage its business such as paying invoices and travel arrangements;
- handle customer inquiries and complaints;
- comply with regulatory requirements; and
- assess job applicants.

#### What personal information do we collect?

The personal information collected by Mayne Pharma may include an individual's:

- name
- current and previous address (postal and email)
- telephone and mobile number
- date of birth
- passport numbers and membership numbers
- health information
- career and education history
- results from personality, aptitude or psychometric testing

## How do we collect personal information?

### *Direct collection*

We will, if reasonable and practicable to do so, collect personal information directly from the individual concerned. This may take place when the individual fills out documents such as an application form (physical form or on our websites) or when the individual gives us personal information in person, over the telephone or through our website.

### *Passive collection*

We may use “cookies” to store and sometimes track information about our online customers and users. A cookie is a small piece of information stored on your computer. Cookies help us improve user experience when individuals visit and use our websites. Most browsers are set to accept cookies, however users can usually change their settings to refuse cookies or to alert that cookies are being sent.

We may use analytics tools (including from third party technologies) to collect non-personal information in the form of various usage and user metrics about online customers and users. These tools collect and analyse certain types of information, including cookies, IP addresses, device and software identifiers, referring and exit URLs, onsite behaviour and usage information, feature use metrics and statistics, usage and purchase history, and other similar information. We may permit certain third party companies to help us to tailor advertising that we think may be of interest to online customers based on their use of our websites and/or online services and to otherwise collect and use data about their use of our websites and/or online services. This allows us to make special offers and continue to market our products and services to those who have shown interest in our products and services.

### *Collection from third parties*

In certain circumstances, we will collect personal information from third parties. For example, we may need to collect personal information from:

- an individual's health service provider
- an individual's employer or former employer
- an individual providing any feedback on performance whether positive or negative
- an individual making a complaint regarding an individual in the workplace
- organisations undertaking medical, personality, aptitude or psychometric tests in which an individual participates
- information received about any investigation, litigation, registration or professional disciplinary matter, criminal matter, inquest or inquiry in which an individual is involved;
- an individual's representatives (e.g. authorised representatives or legal advisers)
- publicly available sources of information
- an organisation identified below as organisation to whom we disclose personal information (see 'Disclosing personal information')
- the use of “cookies” on our websites

### Collecting sensitive information

Unless we have consent, we will not collect sensitive information about an individual. Consent means voluntary agreement (express or implied), that is current and specific, by an individual with the capacity to understand and communicate their consent, having been adequately informed of the matter they are agreeing to (eg. act, practice or purpose).

We may collect health information about consumers in the course of our complaints handling processes, or about consultants or contractors working at our premises.

This is subject to some exceptions including if:

- the information is health information and it is necessary to provide a health service; and/or
- the collection is required or authorised by an Australian law or court/tribunal order; a permitted general situation as defined in the Privacy Act exists.

#### Consequences of not providing personal information

Failing to provide Mayne Pharma with certain personal information means that, potentially, we may not be able to provide the relevant product or service to the individual concerned or not be able to adequately deal with complaints. It may also affect our ability to properly consider the suitability of a job applicant or labour hire.

#### **Disclosing personal information**

In line with modern business practices and to meet individuals' specific needs, we may disclose personal information to the organisations described below.

The relevant organisations include:

- contractors to whom we have outsourced some of our functions (eg. product complaints handling and marketing)
- our advisers (including our accountants, auditors and lawyers)
- government and regulatory authorities in Australia or overseas
- organisations if required or authorised by or under and Australian law or court/tribunal order
- organisations involved in a transfer or sale of our assets or business
- organisations involved in managing our corporate risk
- organisations involved in maintaining, reviewing and developing our business systems and websites, procedures and infrastructure including testing or upgrading our computer systems
- **organisations involved in managing, validating or administering an individual's application, employment or engagement** such as third party suppliers, assessment agencies, organisations providing education and training, professional associations and counsellors
- organisations involved in the payments system including financial institutions, merchants and payment organisations
- our related companies including those located in the USA
- an individual's representatives (e.g. their authorised personal representatives or their legal advisers)

Because we operate throughout Australia and overseas, some disclosures may occur outside the Australian state or territory in which an individual is resident including overseas. Overseas recipients to whom we may potentially disclose personal information are located in the USA, Europe, Asia and New Zealand.

#### Using government identifiers

In certain circumstances we are required to collect government identifiers such as passport numbers. We do not adopt these as our own and we will only use them where it is reasonably necessary to verify the identity of an individual for the purposes of our activities and functions.

#### Marketing our products and services and opting out

We may use and disclose personal information for the purposes of informing individuals about:

- Mayne Pharma products and services that may be of interest and suit their requirements; and
- promotions or other opportunities in which they may be interested

When we send direct marketing we will tell individuals how they can stop receiving further direct marketing communications from us.

If you wish to stop receiving direct marketing communications from us by any means or at all please let us know by contacting us on the details below.

### **Storing personal information**

We store personal information in different ways, including hardcopy and electronic form. The security of personal information is important to us and we take reasonable steps to protect it from misuse, interference or loss and from unauthorised access, modification or disclosure. Some of the ways we do this include:

- requiring our staff to be trained in all relevant policies and procedures regarding their rights and responsibilities in maintaining confidentiality
- implementing document storage security policies
- imposing security measures for access to our computer systems
- providing a discrete environment for confidential discussions
- only allowing access to personal information where the individual seeking access has satisfied our identification requirements and
- ensuring there is access control into our buildings

Personal information that is no longer required for any purpose for which it may be sued or disclosed under the Australian Privacy Principles and is not otherwise contained in a Commonwealth record or is required to be retained by an Australian law or court/tribunal order, will be destroyed or permanently de-identified.

### **Keeping personal information accurate and up to date**

We take all reasonable steps to ensure that the personal information we collect is accurate, complete and up to date and also, when we use and disclose it, that it is relevant. We also rely on the accuracy of the information provided to us. We therefore suggest that individuals:

- let us know if there are any errors in their personal information; and
- keep us up to date with changes to their personal information (e.g. their name and address).

Individuals may do this by mail or email (see our contact details below)

If we are satisfied that the personal information we hold, is inaccurate, incomplete, out of date, irrelevant or misleading or we are asked by an individual to correct their information, we will take reasonable steps to ensure it is corrected.

A request to amend or delete personal information may be refused in certain circumstances. If the request is refused, Mayne Pharma will provide written notification of this decision and our reasons and how the individual may complain, and, if requested, it will be noted with the individual's personal information that its accuracy has been disputed.

### **Accessing personal information**

Individuals have a right to access their personal information, subject to the exceptions provided by the Privacy Act. Giving access may include allowing an individual to inspect personal information or giving a copy of it to them or showing it to them in some other form.

Individuals can contact us on the details below to seek access to their information and to obtain a form which we would usually ask them to complete to request access. We may charge a fee for collating and providing access to personal information. Where access is granted, it will be within 14 days of receipt of a request or earlier if appropriate in the circumstances. We will need the individual to verify their identity before we can give access.



If access to some or all of the information is refused, or we cannot give access in the manner requested, then we will take reasonable steps to give access in a way that meets our needs and the individual's needs which may include the use of a mutually agreed intermediary. However if we refuse access, Mayne Pharma will notify the individual in writing and provide the reasons for this decision and will explain how the individual can complain if they are not satisfied with the decision.

## **PART B – Mayne Pharma Website**

This Part B describes the types of personal information Mayne Pharma collects through <http://www.maynepharma.com> (the “Website”), and how we collect, use, and share that information. This Part B does not govern our collection of personal information through any website or other means, other than through the Website.

### **Personal Information We Collect through the Website**

#### Information You Give Us

You do not have to give us any personal information to browse the Website. However, you may be asked to provide personal information to submit or request information from us, or to use the services offered through the Website. This may include the following information:

- Contact Information. When you fill out a “Contact Us” form or “Queries” form available on the Website, you will be asked to provide information such as your name, phone number and email address. Once you provide us with personal information about you, you are no longer anonymous to us.
- Webcasts. When you sign up to review webcasts offered through the Website, you will be asked to provide information such as your name, email address, company, city and state.
- Email Alerts. When you sign up to receive “Email Alerts”, you will be asked to provide information such as your name and email address.
- Additional Information. You may provide additional information to us, including through comments and feedback, emails, or answers to surveys or questionnaires that you may submit.

#### Automated Information Collection

We may collect certain information about your use of the Website through the use of tracking technologies or by other passive means. This “passively collected” information includes, but is not limited to, the domain name of the website that allowed you to navigate to the Website, search engines used, the internet protocol (IP) address used, the length of time spent on the Website, the pages you looked at on the Website, other websites you visited before and after visiting the Website, the type of internet browser you have, the frequency of your visits to the Website, and other relevant statistics, including the following:

- Log Information. When you access the Website, our servers automatically record information that your browser sends whenever you visit a website. These server logs may include information such as your web request, IP address, browser type, browser language, the date and time of your request, your computer operating system, mobile device and mobile operating system, name of your internet service provider or your mobile carrier, and one or more cookies (small text files containing a string of characters) that may uniquely identify your browser.
- Links. The Website may include links in a format that enables us to keep track of whether these links have been followed by IP addresses. We use this information to improve the quality of our products and design.



- URLs. When you visit or access the Website, we automatically receive the URL of the site from which you came and the site to which you are going when you leave the Website. Additionally, advertisers receive the URL of the page you were on when you click on an ad on the Website.
- Cookies. When you visit or access the Website, we send one or more cookies (small text files containing a string of characters) to your computer that uniquely identifies your browser. We use cookies to improve the quality of the Website by storing user preferences and tracking user trends. Most web browsers accept cookies automatically, but can be configured not to do so or to notify the user when a cookie is being sent. If you wish to disable cookies, refer to your browser help menu to learn how to disable cookies. Please note that if you disable cookies, you may not be able to use some customized features available through the Website.
- Web Beacons. Web beacons (also known as “pixel tags” or “clear GIFs”) are 1x1 single-pixel graphics that allow us to count the number of users who have visited or accessed the Website and to recognize users by accessing our cookies. We may employ web beacons to facilitate Website administration and navigation, to track the actions of users of the Website, to compile aggregate statistics about Website usage and response rates, and to provide an enhanced online experience for visitors to the Website. We may also include web beacons in HTML-formatted e-mail messages that we send to determine which e-mail messages were opened.
- Aggregate Information. We may compile certain personal information and other information collected through the Website on an aggregate basis. This information may include, without limitation, the number of people who have visited the Website and other user demographics. Such aggregate information does not identify you individually.

#### How We Use Personal Information

Personal information collected through the Website may be used by us and our affiliates for purposes of:

- Responding to your questions and feedback;
- Providing the services you select through this Website;
- Contacting you, whether by email, postal mail, or telephone with information about this Website, our products, or our services;
- For such purposes as you may authorize at the time you submit the information;
- Auditing, research, and analysis to maintain, protect, and improve this Website and our services;
- Ensuring the technical functions of our network;
- Improving and customizing the content and layout of the Website;
- Developing new products and services; or
- Compiling personal information and other information collected through the Website on an aggregate basis.

#### Personal Information We Share

We do not sell, rent, trade, or otherwise share personal information collected through the Website, except as described below:

- Consent. We may share personal information in accordance with any consent you provide.
- Subsidiaries and Affiliates. We may share personal information with our subsidiaries and affiliates for the purposes for which you provided the information or as reasonably necessary for our internal administrative and business purposes.
- Service Providers. We work with third parties that provide services on our behalf. Such services may include website and webcast hosting and website usage analytics. We may share personal information and non-personal information with these third parties for the purpose of enabling them to provide these services. We do not bear any responsibility for any actions or policies of such third parties.



- **Required by Law.** We may disclose personal information or any information collected through the Website if we are required to do so by law or pursuant to legal process, in response to a request from government officials or law enforcement authorities, or as necessary or appropriate in connection with an investigation of illegal activity.
- **Certain Transactions.** We may disclose or transfer personal information or any information collected through the Website to third parties who acquire all or a portion of our business, whether such acquisition is by way of merger, consolidation, or purchase of all or a portion of our assets, or in connection with any bankruptcy or reorganization proceeding brought by or against us.

### **Aggregate Information**

We may compile personal information and other information collected through the Website on an aggregate basis. This information may include, without limitation, the number of users who have registered for the Website, demographic information about users of the Website, and individual purchase preferences. Such aggregate information does not identify you individually. We may use aggregate information and share aggregate information with third parties for any of the purposes specified in this Privacy Policy, and for any other lawful purpose.

### **Your Choices**

#### Information You Provide

You can always choose whether or not to provide information on the Website. However, if you choose not to disclose certain information, you may not be able to register as a user of the Website, which may limit your access to certain portions of the Website.

#### Communications from Us

If at any time you decide that you no longer wish to receive notices from us regarding the Website, you may indicate this preference by using the “unsubscribe” option present on any email communications we send you, or by contacting us on the details below.

#### Do Not Track

The Website does not honour “do not track” signals or other mechanisms. However, as described in more detail under the subsection entitled “Cookies,” you can configure your browser not to accept cookies or to notify you when a cookie is being sent.

### **Information Storage and Security**

We employ reasonable security precautions to help protect against the loss, misuse, and alteration of personal information provided on or through the Website. These security measures include Secure Socket Layer (SSL) technology data transmission. However, no method of transmitting or storing data is completely secure. As a result, although we strive to protect personal information about you, we cannot guarantee the security of any information you transmit to us through or in connection with the Website. If you have reason to believe that personal information is no longer secure, please notify us immediately by contacting us in accordance with the last section below.

### **A Special Note about Children**

Children are not eligible to use the Website, and we ask that minors (children under the age of 13) not submit any personal information to us. If you are a minor, you can use the Website only in conjunction with your parents or guardians.





## External Links

The Website may contain links to various websites that we do not control. When you click on one of these links, you will no longer be transacting business through the Website. Third party websites maintain their own privacy policies, and we do not exercise any control over any of the third party websites that may be linked to the Website. If you visit a website that is linked to the Website, you should consult that website's privacy policy before providing any personal information. Please be aware that we are not responsible for the privacy practices of such other websites, and we are not liable for their misuse of personal information about you.

## PART C – Complaints and questions

If anyone believes that Mayne Pharma may have breached their privacy rights in any way or wishes to discuss any issues about this Privacy Policy should contact us on the details below.

We may need you to put your complaint in writing and verify your identity. We will provide written acknowledgement of your complaint and will conduct an investigation. We will aim to complete the investigation within 30 days of the complaint and will advise you of the outcome accordingly.

If you are not satisfied that we have resolved your complaint then you may complain to the Office of the Australian Information Commissioner (OAIC) on telephone number **1300 363 992**, or visiting the OAIC website at <http://www.oaic.gov.au/>, or in writing to:

**OAIC  
GPO Box 5218  
Sydney NSW 1042**

If you would like more information about privacy in general, please refer to the OAIC's website at <http://www.oaic.gov.au/>

### Availability and Changes to this Privacy Policy

This Privacy Policy will be available on our website and can be provided on request by contacting us on the details below.

From time to time we may need to update this Privacy Policy to reflect changes to our privacy practices or obligations. We may notify changes to this Privacy Policy by posting an amended version on our website at <http://www.maynepharma.com> and the changes will take effect at this time. We will post a notice on this Website to advise you of any significant changes to this Privacy Policy and indicate via the "Last Updated" legend below when it was most recently updated. Your continued use of the Website signifies your continued assent to the terms of this Privacy Policy, as updated or amended at that time.

This Privacy Policy was last updated in **[January 2016]**.

### Contacting us

Individuals may ask any questions about privacy and the way we manage personal information or obtain a form requesting access to personal information by:

- writing to **Privacy Officer, Mayne Pharma, 1538 Main North Road, Salisbury South, South Australia 5106, Australia** or
- emailing us at [privacy@maynepharma.com](mailto:privacy@maynepharma.com) or
- calling us on +61 8 8209 2666