

STANDARD OPERATING PROCEDURE

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Department: Legal
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Applicable To: Gilead Sciences Pty Ltd. and Gilead Sciences New Zealand

Title: Collection, Use, and Disclosure of Personal Information by Gilead Sciences Pty Ltd and Gilead Sciences New Zealand

1. PURPOSE

This Standard Operating Procedure (SOP) defines the process and procedures for the collection, use, and disclosure of personal information about any person by any Gilead Sciences Pty Ltd (Australia) (Gilead AUS) or Gilead Sciences (New Zealand) (Gilead NZ) (together Gilead) employee or contractor (Gilead personnel).

The primary purpose of this SOP is to ensure compliance with all relevant privacy legislation in Australia and New Zealand, including in accordance with the Australian Privacy Principles (APPs) and the New Zealand Information Privacy Principles (NZIPP).

This SOP addresses:

- APP 1.2 which obliges Gilead AUS to take such steps as are reasonable in the circumstances to implement practices, procedures, and systems relating to Gilead AUS's functions or activities that will:
 - Ensure that Gilead AUS complies with the APPs; and
 - Enable Gilead AUS to deal with inquiries or complaints from individuals about Gilead AUS's compliance with the APPs; and
- The requirements of the NZIPP and the New Zealand Privacy Act 1993 (NZ Privacy Act) in relation to the collection, use, processing, disclosure, and storage of personal information by Gilead NZ.

2. SCOPE

This procedure applies to the collection, use, and disclosure of personal information about any person by Gilead personnel.

3. RESPONSIBILITY

- 3.1. It is the responsibility of the Privacy Officer to ensure that this SOP is maintained and provided to all relevant Gilead personnel as appropriate.
- 3.2. It is the responsibility of the Privacy Officer to ensure that all procedures outlined in this SOP are followed.
- 3.3. It is the responsibility of all Gilead personnel to read and comply with this SOP.

4. ACRONYMS AND DEFINITIONS

Please also refer to GLO-01 R&D Glossary.

Collection: An entity *collects* personal/health information if it gathers, acquires, or obtains personal/health information from any source and by any means for inclusion in a record or generally available publication. Under the APPs, *collection* includes when an entity keeps personal/health information it has not asked for or it has come across by accident. However under the NZ Privacy Act, *collect* does not include receipt of unsolicited information.

Commercial Electronic Message: Is

- Any message sent via the internet or any other telecommunications service;
- Any message to an electronic address in connection with an email, instant message, telephone account, or any similar account; and
- Any message that is commercial in nature or has a commercial purpose (for example, promoting or offering to supply products or services)

Commercial Electronic Messages do not include any voice calls made using standard telephone services, facsimile messages, and any other messages that are not sent to an electronic address (for example, postal or hand-delivered messages).

Disclosure: In general terms, an entity *discloses* personal/health information when it releases information to others outside the organisation. *Disclosure* does not include giving an individual information about themselves (this is "access").

Health Information: Is

- Information or an opinion about:
 - The health or a disability (at any time) of an individual; or
 - An individual's expressed wishes about the future provision of health services to him or her; or
 - A health service provided, or to be provided, to an individual, that is also personal information; or
- Other personal information collected to provide, or in providing, a health service; or
- Other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs, or body substances; or
- Genetic information about an individual in a form that is, or could be, predictive of the health of the individual or a genetic relative of the individual

Personal Information: Information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is:

- True or not; and
- Recorded in a material form or not

Sensitive Information: Is

- Information or an opinion about an individual's:
 - Racial or ethnic origin; or
 - Political opinions; or
 - Membership of a political association; or

- Religious beliefs or affiliations; or
- Philosophical beliefs; or
- Membership of a professional or trade association; or
- Membership of a trade union; or
- Sexual preferences or practices; or
- Criminal record,

that is also personal information; or

- Health information about an individual; or
- Genetic information about an individual that is not otherwise health information; or
- Biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- Biometric templates

New Zealand does not have a separate category of “sensitive information”. Under the NZ Privacy Act, the above information is all treated as “personal information”.

Use: In general terms, *use* of personal/health information refers to the handling of personal/health information within an organisation, including "the inclusion of information in a publication".

5. PROCEDURES

5.1. General Principles of Collection of Personal Information by Gilead Personnel

	Responsible	Action
5.1.1.	Gilead personnel	Does not collect, under any circumstances, the personal information of any individual, otherwise than as explicitly provided for in this SOP.
5.1.2.	Gilead personnel	Only collects personal information about individuals which is immediately necessary to Gilead for the conduct of its business.
5.1.3.	Gilead personnel	At or prior to the collection of personal information about an individual (for example, a healthcare professional, patient, vendor employee, etc.) or, if that is not practicable, as soon as practicable after collection, must take such steps (if any) as are reasonable in the circumstances to: <ul style="list-style-type: none"> ● Notify the individual of such matters referred to below as are reasonable in the circumstances; or ● Otherwise ensure that the individual is aware of any such matters by providing an approved privacy collection statement (See Note below).
		<p>Note: The matters which are to be included in the privacy statement are as follows:</p> <ul style="list-style-type: none"> ● The identity and contact details of Gilead AUS or

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		<p>Gilead NZ (as applicable); and</p> <ul style="list-style-type: none">• If:<ul style="list-style-type: none">○ Gilead collects the personal information from someone other than the individual (provided that the individual has authorised collection of his or her personal information from someone else); or○ The individual may not be aware that Gilead has collected the personal information, the fact that Gilead so collects, or has collected, the information and the circumstances of that collection; and• The purposes for which the information is collected; and• The organisations (or the types of organisations) to which Gilead usually discloses information of that kind; and• If the collection of the personal information is required or authorised by or under an Australian law, New Zealand law, or an Australian or New Zealand court/tribunal order – the fact that the collection is so required or authorised (including the name of the applicable law, or details of the court/tribunal order, that requires or authorises the collection); and• The main consequences (if any) for the individual if all or part of the information is not provided; and• That the privacy policy of Gilead contains information about how the individual may access the personal information about the individual that is held by Gilead and seek the correction of such information; and• That the privacy policy of Gilead contains information about how the individual may complain about a breach of the Australian Privacy Principles or a registered APP code (if any) by Gilead AUS, or a breach of the NZIPP by Gilead NZ, and how Gilead will deal with such a complaint;• Whether Gilead AUS or Gilead NZ (as applicable) are likely to disclose the personal information to overseas recipients (including any disclosures between Gilead AUS and Gilead NZ) and the purpose for which the personal information is disclosed;• If Gilead AUS or Gilead NZ (as applicable) are likely to disclose the personal information to overseas recipients, the countries in which such recipients are likely to be located if it is practicable to specify those countries in the notification or to otherwise make the individual
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5.2. General Principles of Use and Disclosure of Personal Information by Gilead

5.2.1.	Gilead personnel	<p>Must not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless:</p> <ul style="list-style-type: none"> • The individual has consented to the use or disclosure of the information; or • One of the specified exceptions applies. (See Note below.)
		<p>Note: These exceptions include if the individual would reasonably expect Gilead to use or disclose the information for the secondary purpose and the secondary purpose is:</p> <ul style="list-style-type: none"> • If the information is sensitive information - directly related to the primary purpose (this category does not apply to personal information collected from New Zealand individuals as the NZ Privacy Act does not have a separate category of “sensitive information”); or • If the information is not sensitive information - related to or in connection with the primary purpose (this category would apply to all personal information collected from New Zealand individuals).

5.3. Appointment of Privacy Officer

5.3.1.	General Manager	<ul style="list-style-type: none"> • Appoints a person, Privacy Officer, who must, at all times oversee Gilead's compliance with privacy obligations in Australia and New Zealand. • Under the NZ Privacy Act, a Privacy Officer is required to be appointed by Gilead NZ. However there is no legal requirement for the Privacy Officer to be based, or reside, in New Zealand.
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5.4. Health Care Professionals & Interested Persons: Collection, Use, and Disclosure of Personal Information about Healthcare Professionals or Interested Persons

5.4.1.	Gilead personnel	<ul style="list-style-type: none"> • Must provide each: <ul style="list-style-type: none"> ○ Healthcare professional; or ○ Other person who has a relationship, or interacts, with Gilead and is not a patient (such as an advocacy body representative, academic, researcher, social worker, or medical administrator (Interested Person)), <p>with Gilead's "Collection Statement for Health Care Professionals and Interested Persons" as set out in Attachment</p>
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		<p>1 or another collection statement approved by the Privacy Officer at or before the time of collection or, if this not practical, as soon as practicable after the time of collection - unless the healthcare professional or Interested Person has already received a current version of an appropriate collection statement from Gilead.</p> <ul style="list-style-type: none"> • Ensures that the "Short Form Collection Statement for Health Care Professionals and Interested Persons" as set out in Attachment 2 is included on all: <ul style="list-style-type: none"> ○ Invitations to healthcare professionals or Interested Persons for education events (whether sent by mail, courier, or electronically); ○ Marketing materials sent to healthcare professionals or Interested Persons (whether sent by mail, courier, or electronically); and ○ General correspondence sent to healthcare professionals or Interested Persons (whether sent by mail, courier, or electronically).
5.4.2.	Gilead personnel	<ul style="list-style-type: none"> • Must obtain consent from the healthcare professional or Interested Person concerned, if there is collection of sensitive information (other than health information) about a healthcare professional or Interested Person (for instance, religious belief incidentally revealed in a meal reservation (e.g., a request for "kosher food") or membership of a professional or trade association). • While the NZ Privacy Act does not have a separate category of "sensitive information", must obtain consent of the healthcare professional or Interested Person as this information still constitutes "personal information".
		<p>Note: The consent may be express or implied. Consent may usually be implied where the relevant sensitive information is supplied to Gilead directly by the relevant healthcare professional or Interested Person. In any instance where the sensitive information of a healthcare professional or Interested Person is collected otherwise than from the relevant healthcare professional/Interested Person, Gilead personnel must consult the Privacy Officer about the form of consent required.</p>
5.4.3.	Privacy Officer	<ul style="list-style-type: none"> • Mails out to each healthcare professional and Interested Person with respect to whom Gilead has collected personal information, a copy of Gilead's "Collection Statement for Health Care Professionals and Interested Persons" as set out in Attachment 1 or another collection statement approved by the Privacy Officer, as and when determined by the Privacy Officer, bearing in mind that the collection statement should be

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		<p>provided to:</p> <ul style="list-style-type: none"> ○ All new healthcare professionals and Interested Persons whose personal information will be, or has been, collected by Gilead and who have previously not received a copy of Gilead's "Collection Statement for Health Care Professionals and Interested Persons" as set out in Attachment 1 or another collection statement approved by the Privacy Officer (this should occur at or before the time of collection or, if that is not practicable, as soon as practicable after collection); and ○ All healthcare professionals and Interested Persons whose personal information has been collected by Gilead when Gilead amends the "Collection Statement for Health Care Professionals and Interested Persons" as set out in Attachment 1 to capture new collections, uses and/or disclosures of personal information by Gilead or when Gilead otherwise changes its information handling practices. <ul style="list-style-type: none"> ● Publishes the "Collection Statement for Health Care Professionals and Interested Persons" as set out in Attachment 1 on http://www.gilead.com/about/worldwide-operations/australia.
5.4.4.	Gilead personnel	<p>If "Collection Statement for Health Care Professionals and Interested Persons" as set out in Attachment 1 has been provided, may use and disclose personal information about healthcare professionals and Interested Persons held by Gilead for (and only for) the following purposes:</p> <ul style="list-style-type: none"> ● General sales and marketing, including to contact them (including through a contract sales/marketing organisation) to provide them 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 assist in providing medical information relevant to Gilead products; ● To identify investigators for, establishing and conducting clinical trials (including clinical trials run by Gilead's overseas affiliates), to establish and run medical boards, or to acquire general opinions on medical issues; ● To administer research funding programs; ● To send educational materials and/or other information; ● To conduct market research including in relation to prescribing

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		<p>practices;</p> <ul style="list-style-type: none"> • To facilitate third parties to compile sales statistics and databases of healthcare practitioners; • To evaluate and continue to develop and improve products, services, and business processes; • To administer patient support programs which involve the use and disclosure of personal information of healthcare professionals; • 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; • To comply with the internal policies and procedures of Gilead AUS and Gilead NZ and their related bodies corporate including in relation to reporting of payments or non-monetary benefits provided to healthcare practitioners; and • Adverse event reporting.
		<p>Note: Gilead may also disclose personal information to parties involved in a prospective or actual transfer of Gilead's assets or business.</p>
5.4.5.	Gilead AUS and Gilead NZ	<p><i>Transparency:</i></p> <ul style="list-style-type: none"> ○ If a financial payment is made or a non-monetary benefit to a healthcare professional is provided (including if the healthcare professional provides services to Gilead), Gilead sponsors the healthcare professional to attend a conference, or the healthcare professional is invited by Gilead to attend a medical education event, Gilead will collect personal information about the healthcare professional including the following information: <ul style="list-style-type: none"> ○ Name and profession; ○ Business/practice address; ○ A description of any services and benefits the healthcare professional receives from Gilead and details of any services, activities, and events in respect of which the healthcare professional was engaged including relevant dates; ○ The amount of the financial payment or the value of any non-monetary benefits the healthcare professional individually received from Gilead including air travel, accommodation costs (room rate), and registration fees paid by Gilead and/or reimbursed to the healthcare professional; and ○ Any financial payments made or non-monetary benefits given by Gilead to third parties as directed by the healthcare

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		<p>professional, (Transparency Data).</p> <ul style="list-style-type: none"> ○ Gilead AUS and Gilead NZ will disclose the Transparency Data to one another and to their related bodies corporate (including outside Australia and New Zealand). ○ In accordance with the MA Code, or other applicable international regulations, Gilead and/or its related bodies corporate will disclose publically some or all of the Transparency Data. ○ Specifically, in accordance with the transparency obligations in the MA Code, Gilead AUS will publish as much of the Transparency Data as required and in a manner which individually identifies the healthcare professional on http://www.gilead.com/about/worldwide-operations/australia for three years from the date of publication of that information by Gilead AU. Gilead AUS will also report Transparency Data to Medicines Australia which will then be published in a manner which individually identifies the healthcare professional on Medicine Australia's publically available Central Reporting System. ○ Where Gilead AUS makes a financial payment or provides a non-monetary benefit to a healthcare professional, in order for Gilead AUS to be able to comply with the above transparency requirements under the MA Code, Gilead personnel must provide the healthcare professional with Gilead's "Collection Statement for Health Care Professionals and Interested Persons" as set out in Attachment 1. This is provided to the healthcare professional pursuant to the process described in the first and/or second bullet point in Section 5.4.1 of this SOP. ○ Gilead AUS personnel must provide the healthcare professional with the opportunity to review and submit corrections to the Transparency Data before that information is published. ○ There is currently no New Zealand legal requirement for Gilead NZ to report Transparency Data to a regulatory authority or industry body. However any collection of the Transparency Data must be done with the consent of the relevant healthcare professional as such information still constitutes “personal information” under the NZ Privacy Act.
		<p>Note: If the healthcare professional does not want the financial payment or non-monetary benefit provided by Gilead to be publically disclosed, the healthcare professional should not engage in the relevant services/activities/events or accept any services and benefits from Gilead.</p>
5.4.6.	Gilead personnel	<ul style="list-style-type: none"> ● Uses or discloses sensitive information about healthcare professionals and advocacy body representatives held by Gilead, only for the primary purpose of the collection of the

		<p>information or for a purpose that is directly related to that primary purpose. For instance, a healthcare professional's religious belief incidentally revealed by requesting kosher food should only be used for the purpose of making a meal reservation for the healthcare professional.</p> <ul style="list-style-type: none"> • Additionally, uses information about a healthcare professional's membership of a professional or trade association collected for the purpose of obtaining a travel only for that purpose.
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5.5. Use of Personal Information of Health Care Professionals and Advocacy Body Representatives for Direct Marketing

5.5.1.	Privacy Officer	<p><i>Opt out mechanism</i></p> <p>Must ensure that the Privacy Policy contains an opt-out mechanism for individuals to request not to receive direct marketing material from Gilead.</p>
5.5.2.	Gilead personnel	<p><i>Using personal information for direct marketing</i></p> <ul style="list-style-type: none"> • If Gilead has collected personal information from an individual and wishes to use that information for direct marketing, must ensure: <ul style="list-style-type: none"> ○ The relevant privacy statement provided to the individual: <ul style="list-style-type: none"> ▪ Makes it clear that Gilead may use the information for direct marketing; and ▪ Includes an opt-out mechanism by which the individual can request not to receive direct marketing from Gilead. ○ The individual has not opted-out of receiving direct marketing from Gilead. • If Gilead has collected personal information about an individual from a third party (such as from IQVIA or an online directory), must not use that information for direct marketing unless: <ul style="list-style-type: none"> ○ The individual has consented to the use/disclosure of their personal information for direct marketing by Gilead (e.g., IQVIA or the online directory has obtained such consent) or, in the case of individuals in Australia, it is genuinely impracticable for Gilead AUS to obtain that consent (which is a high bar to satisfy); ○ Each direct marketing communication with the individual includes a prominent statement that the individual may request not to receive direct marketing from Gilead or otherwise draws the individual's attention to the fact the individual may make such a request and, for individuals in New Zealand where practicable, the direct marketing communication contains an “functional unsubscribe facility”; and ○ The individual has not opted-out of receiving direct

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		<p>marketing from Gilead.</p> <ul style="list-style-type: none"> • Must not use sensitive information about an individual for direct marketing unless the individual has provided consent.
5.5.3.	Gilead personnel	<p><i>Commercial Electronic Messages</i></p> <ul style="list-style-type: none"> • May only send a Commercial Electronic Message if the intended recipient has consented to the receipt of the message. • Ensures that, in addition to its substantive content, any Commercial Electronic Message issued also includes the following: <ul style="list-style-type: none"> ○ Information that clearly and accurately identifies Gilead as authorising the sending of the message; ○ Accurate details of how the recipient may readily contact Gilead; and ○ A "functional unsubscribe facility" that: <ul style="list-style-type: none"> ▪ Allows the recipient to unsubscribe from receiving future messages; ▪ Is presented in a clear and conspicuous manner; and ▪ Remains valid and operates for at least 30 days after the Commercial Electronic Message has been sent.
5.5.4.	Gilead Commercial Operations personnel / Privacy Officer	<p><i>Actioning requests to opt-out or unsubscribe</i></p> <p>Where an individual requests to opt-out of receiving direct marketing material from Gilead or unsubscribes from receiving Commercial Electronic Messages from Gilead, must remove the individual's details from the approved direct marketing list as soon as possible and no later than 5 business days from the date the request/unsubscribe message was sent.</p>
		<p>Note: Gilead must not charge an individual in order for Gilead to comply with a request by that individual to opt out of receiving direct marketing material.</p>

5.6. Collection, Use, and Disclosure of Personal Information about Gilead Personnel and Job Applicants

5.6.1.	HR personnel and recruiting Gilead personnel	<ul style="list-style-type: none"> • Before or during the selection process for an employee or contractor position, must provide the job applicant with a statement regarding retention of personal information of job applicants as set out in Attachment 3. • Must include in the Employee Handbook the "Employee and Contractor Privacy Notice" (GF-AU-LIP-1000A Employee and Contractor Privacy Notice). Ensures the Employee Handbook is sufficiently drawn to the attention of new Gilead employees and contractors. • Require all new employees and contractors of Gilead to read
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		and sign the "Employee and Contractor Privacy Notice" as set out in GF-AU-LIP-1000A on the commencement of his/her employment or engagement.
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5.7. Collection, Use, and Disclosure of Personal Information through the Gilead AUS Fellowship Website

5.7.1.	Gilead Medical Director	Requires all individuals using the Gilead AUS Fellowship Website to accept the "Gilead Australia Fellowship Website Privacy Statement" as set out in Attachment 4 before being granted access to the website.
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5.8. Collection, Use, and Disclosure of Personal Information about Patients

5.8.1.	Gilead personnel	Must not actively seek to collect the personal information of patients other than in the circumstances outlined below unless otherwise authorised by the Privacy Officer in accordance with the APPs and NZIPPs.
5.8.2.	Gilead Reception personnel	<ul style="list-style-type: none"> • Must put all patients who call Gilead through to the MedInfo voicemail system before collection of any personal or sensitive information about that patient. • When Gilead's receptionist receives a call from a patient, he or she: <ul style="list-style-type: none"> ○ Must read the preamble in Part A of Attachment 5 prior to putting the caller through to the MedInfo voicemail system; and ○ Must not record any personal information about the patient.
5.8.3.	Privacy Officer / Gilead Medical Director	Must ensure that the MedInfo voicemail system requires all callers to listen to the "MedInfo Patient Privacy Statement" in Part B of Attachment 5 prior to being connected with a MedInfo representative or leaving a detailed voice message on the MedInfo voicemail system.
5.8.4.	Gilead Medical Director / Third Party service providers	Must ensure that any personal, including sensitive, information they collect from callers is only ever handled in accordance with the "MedInfo Patient Privacy Statement" in Part B of Attachment 5.
	Gilead Reception / Gilead Medical personnel / Third Party service providers	<ul style="list-style-type: none"> • If a person who receives a call from a patient is concerned that information which may be collected may not be able to be dealt with in accordance with the "MedInfo Patient Privacy Statement" in Part B of Attachment 5, he or she must: <ul style="list-style-type: none"> ○ Not collect any personal, including sensitive, information which cannot be dealt with in accordance

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		<p>with the "MedInfo Patient Privacy Statement" in Part B of Attachment 5; and</p> <ul style="list-style-type: none"> ○ Immediately contact the Privacy Officer to discuss how best to proceed. ● For the avoidance of doubt, such person may collect the name and telephone number of the caller so that the caller may be contacted once the matter is discussed with the Privacy Officer.
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5.9. Provision / Publication of Privacy Policy

5.9.1.	Gilead personnel	On request by an individual, must ensure the individual is provided with a copy of the Gilead Privacy Policy (POL-AU-LIP-0001 Gilead Australia and New Zealand Privacy Policy).
5.9.2.	Privacy Officer	Publishes the Gilead Privacy Policy (POL-AU-LIP-0001) on http://www.gilead.com/about/worldwide-operations/australia .

5.10. Consultation with the Privacy Officer

5.10.1.	Gilead personnel	<p>Must consult the Privacy Officer if proposing to:</p> <ul style="list-style-type: none"> ● Collect personal information from individuals in a category for which Gilead has not already drafted collection statements; or ● Collect a type of personal information which has not previously been collected by Gilead (for example, healthcare providers' previous employment history), where the collection is not covered by existing collection statements; or ● Use or disclose individuals' personal information for a purpose for which such personal information has not previously been used by Gilead where the use or disclosure is not covered by existing collection statements; or ● Disclose individuals' personal information to organisations to which Gilead has not previously disclosed personal information where the disclosure is not covered by existing collection statements or where the organisation is located overseas.
5.10.2.	Privacy Officer	<p>Must consider:</p> <ul style="list-style-type: none"> ● Whether the collection is a collection of sensitive information and, if so, whether Gilead has obtained the consent of the individual to that collection; ● If collection of personal information is to take place, whether an existing collection statement is suitable for the purposes of APP 5 or NZIPP 3 by taking into account whether an existing collection statement: <ul style="list-style-type: none"> ○ Amounts to the obtaining of consent from individuals for Gilead's proposed uses or disclosures of the information it

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		<p>will collect; and</p> <ul style="list-style-type: none"> ○ Will be prominently brought to the attention of the relevant individual, especially where: <ul style="list-style-type: none"> ▪ The individual needs to give his or her consent to an act of collection, disclosure or use; or ▪ Gilead collects the information from a third party (such as an overseas affiliate of Gilead AUS or Gilead NZ or a clinical research organisation); ● In the case of use or disclosure of personal information for a new purpose, whether: <ul style="list-style-type: none"> ○ Such use or disclosure is the primary purpose for which the information was collected; ○ Both of the following apply: <ul style="list-style-type: none"> ▪ Such use or disclosure is for a purpose (i.e., a "Secondary Purpose") which is related to (in the case of sensitive information, directly related to) the primary purpose of the original collection; and ▪ The individuals to whom the personal information relates would reasonably expect Gilead to use or disclose the information for the Secondary Purpose; ● Whether individuals have consented to their personal information being used or disclosed for the Secondary Purpose; ● Whether such use or disclosure is otherwise permitted under APP 6.2 or NZIPP 10 and 11 (whichever applies); or ● Whether the information could be used or disclosed in a de-identified form so that it is no longer a use or disclosure of personal information.
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5.11. Data Quality

5.11.1.	Gilead personnel	Must take reasonable steps to make sure that the personal information Gilead collects, uses, and discloses is accurate, complete, and up-to-date.
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5.12. Data Security

5.12.1.	Gilead personnel / Gilead Commercial Operations personnel / Gilead IT	<p>Must protect the personal information they hold from misuse and loss, and from unauthorised access, modification, or disclosure. For example by ensuring:</p> <ul style="list-style-type: none"> ● Electronic databases containing personal information are password protected with only those personnel who require access to a database in order to fulfil their role given a password; and ● Hard copy documents containing personal information are held
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5.13. Trans-Border Transfer of Personal Information

5.13.1.	Gilead personnel	Must ensure that, before disclosing personal information about an individual to an organisation outside Australia (in the case of Gilead AUS) or outside New Zealand (in the case of Gilead NZ) (including a related body corporate), that such steps as are reasonable in the circumstances are taken to ensure that the overseas recipient (for example, third party service provider) does not breach the APPs (other than APP 1) or NZIPP in relation to the information (as applicable).
5.13.2.	Gilead personnel / Privacy Officer	In order to comply with Section 5.13.1, must enter into trans-border transfer agreements with overseas related bodies corporate to which Gilead AUS or Gilead NZ discloses personal information obliging such overseas related bodies corporate to: <ul style="list-style-type: none"> • Comply with the APPs or NZIPP (whichever applies) with respect to any personal information they handle which is disclosed to them by Gilead AUS or Gilead NZ (as the case may be); and • Ensure that, if they disclose the personal information of individuals disclosed to them by Gilead AUS or Gilead NZ (as the case may be) to third parties, they contractually oblige such third parties to comply with the APPs or NZIPP (whichever applies) with respect to that personal information.
		Note: For the avoidance of doubt, if Gilead AUS and Gilead NZ share personal information, Gilead AUS and Gilead NZ must enter into a trans-border transfer agreement.

5.14. Access to and Correction of Personal Information

5.14.1.	Gilead personnel / Privacy Officer	<i>Request for access to, or correction of, personal information</i> <ul style="list-style-type: none"> • Ensures that where an individual requests access to, or correction of, the personal information held about that individual by Gilead, that request is referred to the Privacy Officer. • Ensures any request from an individual to access or correct the personal information held about that individual by Gilead AUS is responded to within 30 days of Gilead AUS's receipt of the request. Under the NZ Privacy Act, Gilead NZ must respond to an enquiry within 20 working days after the date the request is received by Gilead NZ.
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5.14.2.	Privacy Officer	<p><i>Granting access to personal information</i></p> <ul style="list-style-type: none"> • In determining whether to grant or deny an individual access (or limited access) to the personal information held about that individual by Gilead, must grant access to the personal information except to the extent prescribed in APP 12.3 or, in relation to personal information about a New Zealand individual, where a withholding ground under section 28 or 29 of the NZ Privacy Act applies. • Where a request for access is denied, must ensure that Gilead provides to the individual a written notice that sets out: <ul style="list-style-type: none"> ○ Reasons for the denial to the individual except to the extent that, having regard to the grounds for refusal, it would be unreasonable to do so; ○ The mechanisms available to complain about the refusal; and ○ Any other matter prescribed by the regulations from time to time.
5.14.3.	Gilead	<p><i>Granting access to personal information</i></p> <p>Must not charge an individual in order to:</p> <ul style="list-style-type: none"> • Respond to a request for access to that individual's personal information held by Gilead; or • Provide such access.
5.14.4.	Privacy Officer	<p><i>Correcting personal information</i></p> <ul style="list-style-type: none"> • In determining whether to correct the personal information held about that individual by Gilead, must take such steps (if any) as are reasonable in the circumstances to correct that information and ensure that, having regard to the purpose for which it is held, the information is accurate, up-to-date, complete, relevant, and not misleading. • Where a request to correct personal information is denied, must ensure that Gilead provides to the individual a written notice that sets out: <ul style="list-style-type: none"> ○ Reasons for the denial to the individual except to the extent that, having regard to the grounds for refusal, it would be unreasonable to do so; ○ The mechanisms available to complain about the refusal; and ○ Any other matter prescribed by the regulations from time to time.

5.14.5.	Gilead	<p><i>Correcting personal information</i></p> <ul style="list-style-type: none"> • If Gilead refuses to correct the personal information as requested by the individual and the individual requests Gilead to associate with the information a statement that the information is inaccurate, out-of-date, incomplete, irrelevant, or misleading, must take such steps, as reasonable in the circumstances, to associate the statement in such a way that makes the statement apparent to users of the information. • Must not charge an individual in order for: <ul style="list-style-type: none"> ○ The individual to make a request to correct the personal information; ○ Gilead to correct the personal information; or ○ Gilead to associate a statement with the personal information.
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5.15. Complaints

5.15.1.	Gilead personnel	<p><i>Referral to the Privacy Officer</i></p> <p>Refers a complaint to the Privacy Officer when a complaint relating to Gilead's collection, use, or disclosure of personal information is received.</p>
5.15.2.	Gilead personnel	<p><i>Record of Complaint</i></p> <p>When a complaint is received, must ensure a written record of the complaint is documented which records:</p> <ul style="list-style-type: none"> • The name and contact details of the individual making the complaint (Complainant); • The details of the complaint; and • The date the complaint is received.
5.15.3.	Privacy Officer	<p><i>Responding to Complaints</i></p> <ul style="list-style-type: none"> • Provides written notification, within 10 business days of receipt of a complaint, to the Complainant that the complaint has been received. • Takes all reasonable steps to investigate and resolve the complaint, which may include: <ul style="list-style-type: none"> ○ Verification of any alleged data breach; ○ Review of collection statements and consents relating to the Complainant; ○ Review of Gilead's security and management procedures; ○ Referral for internal or external legal review and advice and subsequent liaison with legal personnel; and ○ Interviewing such persons as the Privacy Officer deems appropriate.

		<ul style="list-style-type: none"> • Within 45 days of receipt of the complaint, must act by either: <ul style="list-style-type: none"> ○ Providing a written response to the Complainant detailing: <ul style="list-style-type: none"> ▪ If Gilead reasonably believes that the subject matter of the complaint is substantiated, the steps Gilead has, or will, take to address or resolve the complaint; ▪ If Gilead denies the subject matter of the complaint and does not reasonably believe that a privacy breach has occurred, the reasons for the denial; and ▪ The Complainant's further options in relation to the resolution of the complaint, including referral to the Office of the Australian Information Commissioner; or ○ If unable to provide the Complainant with a written response addressing the above matters within 45 days of receipt of the complaint, providing a written explanation to the Complainant: <ul style="list-style-type: none"> ▪ Explaining that Gilead is still investigating the matters; and ▪ Giving the Complainant a new timeframe for the written response.
5.15.4.	Privacy Officer	<p><i>Notification of complaints to affected third party</i></p> <p>If a complaint relates to Gilead's collection, use, or disclosure of personal information which was: (1) received from a third party; (2) disclosed to a third party; or (3) used by a third party, must consider whether to:</p> <ul style="list-style-type: none"> • Inform that third party of the complaint and its outcome; and/or • Request that third party to amend its information handling practices with respect to such personal information.

5.16. Training

5.16.1.	General Manager	<p><i>Training of the Privacy Officer</i></p> <ul style="list-style-type: none"> • Ensures the Privacy Officer receives initial training on privacy law from an appropriate independent expert. Upon completion of this training, he/she should be familiar with: <ul style="list-style-type: none"> ○ Key issues in privacy; ○ The scope and nature of Gilead's privacy obligations; ○ Common breaches of privacy law that occur; and ○ The specific areas of Gilead's business where privacy issues frequently arise. • Ensures Privacy Officer receives follow-up training every 2 years or as otherwise deemed necessary by the Privacy Officer. • Should the existing Privacy Officer leave Gilead, ensures
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		another Gilead staff member is trained to fulfil this role within a reasonable time of the existing Privacy Officer's departure.
5.16.2.	Privacy Officer	<p><i>Nomination and training of the Privacy Officer's delegate</i></p> <ul style="list-style-type: none"> From time to time, may nominate a delegate to assist in the performance of his or her functions in accordance with this SOP. Where a delegate is appointed, within a reasonable time of the appointment, must provide such privacy training to the delegate as is necessary to enable the delegate to adequately perform the functions expected of him/her. Where a delegate is appointed, on an annual basis or as otherwise deemed necessary (by the Privacy Officer), must consider if the delegate requires further privacy training.
5.16.3.	Privacy Officer or delegate	<p><i>Training of Gilead personnel</i></p> <ul style="list-style-type: none"> Provides privacy training to all Gilead personnel. The purpose of this training is to provide Gilead personnel a basic understanding of key issues in privacy, so that they are aware of when they should bring matters to the attention of the Privacy Officer. On an annual basis or as otherwise deemed necessary by the Privacy Officer, considers whether Gilead personnel require further privacy training. Must provide all new employees of Gilead with privacy training within a reasonable time of commencement of their employment.
5.16.4.	Gilead Medical personnel / Privacy Officer	<p><i>Training of MedInfo personnel</i></p> <ul style="list-style-type: none"> Provides privacy training to all relevant MedInfo personnel (whether employed by Gilead or a third party provider). The purpose of this training is to provide personnel with a basic understanding of key issues in privacy and Gilead's privacy requirements. On an annual basis or as otherwise deemed necessary by the Privacy Officer, considers whether MedInfo personnel require further privacy training.

5.17. Review of Privacy Materials

5.17.1.	Privacy Officer	In order to ensure privacy materials are still appropriate, periodically reviews Gilead's standard policy documents.
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6. DOCUMENTATION

6.1. Documentation relating to this SOP including Privacy Policy and Collection Statements are located within Gilead's electronic document management system's document library.

- 6.2. Copies of Privacy Policy, Healthcare Provider Collection Statements and Privacy Disclaimers are located on the Gilead AUS shared drive under Privacy - H:\Privacy.

7. RELATED/REFERENCED DOCUMENTS

7.1. Related Documents

Australian Privacy Act 1988 (Cth)

Australian Spam Act 2003 (Cth)

New Zealand Privacy Act 1993

New Zealand Health Information Privacy Code 1994

New Zealand Unsolicited Electronic Messages Act 2007

Gilead Data Breach Notification Policy

7.2. Referenced Documents

POL-AU-LIP-0001 – Gilead Australia and New Zealand Privacy Policy

8. FORMS/TEMPLATES/ATTACHMENTS

GF-AU-LIP-1000A – Employee and Contractor Privacy Notice

Attachment 1 – Collection Statement for Health Care Professionals and Interested Persons

Attachment 2 – Short-Form Privacy Statement for Health Care Professionals and Interested Persons

Attachment 3 – Statement Regarding Retention of Personal Information for Job Applicants

Attachment 4 – Gilead Australia Fellowship Website Privacy Statement

Attachment 5 – Privacy Statements for Patients

Attachment 1: Collection Statement for Health Care Professionals and Interested Persons

Gilead Sciences Pty Ltd ("**Gilead Australia**") and Gilead Sciences (NZ) ("**Gilead New Zealand**") (together "**Gilead**") comply with the Australian *Privacy Act* 1988 (Cth) ("**Australian Privacy Act**") and the *New Zealand Privacy Act* 1993 ("**NZ Privacy Act**") respectively to ensure that your personal information is protected.

Personal information is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not. Under the Australian Privacy Act, special provisions apply to personal information which is sensitive information. This includes (amongst other things) information about a person's health, ethnic origin, membership of professional or trade associations and religious or philosophical beliefs. In this statement, all references to personal information include sensitive information. There is no separate category of "sensitive information" under the NZ Privacy Act. Under the NZ Privacy Act, these types of information are treated as "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:

- (a) general sales and marketing, including to contact you (including through a contract sales/marketing organisation) to provide you with information about, and to discuss, Gilead products and other matters;
- (b) 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);
- (c) to assist in providing you with medical information relevant to Gilead products;
- (d) to send you educational materials and/or other information;
- (e) to conduct market research including in relation to prescribing practices;
- (f) to identify investigators for, establish and conduct clinical trials (including clinical trials run by a related body corporate of Gilead), to establish and run medical boards or to acquire general opinions on medical and/or patient related issues;
- (g) to administer research funding programs;
- (h) to administer patient support programs;
- (i) to evaluate and continue to develop and improve our products, services and business processes;
- (j) 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;

- (k) to comply with 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; and
- (l) adverse event reporting.

Your personal information collected by Gilead may be held, used or disclosed by Gilead for any of the purposes listed above (or for a purpose that is related to any of these purposes). For instance, if you are a healthcare practitioner and Gilead collects your personal information when establishing and conducting clinical trials in your area of interest or specialisation, your personal information may be used by Gilead for sales and marketing of Gilead products in your area of interest or specialisation.

Gilead will collect your personal information directly from you where it is reasonable and practicable to do so. We may also collect your personal information from third parties such as through electronic directories of healthcare providers which we subscribe to or are available online, organisations that we engage to assist us to carry out our functions and activities (such as market research organisations and contract sales/marketing organisations) and healthcare providers or your colleagues. We may also collect your personal information from public sources.

If you provide your email address, mobile phone number and/or telephone number to Gilead, you consent to Gilead using your email address, mobile phone number and/or telephone number to contact you (including by email, SMS and telephone call) for any of the purposes listed above. Your consent will remain current until you advise us otherwise by contacting the Privacy Officer at the address below.

From time to time, Gilead may also provide you with marketing material about Gilead products and services that we think may be of interest to you including by email, SMS and telephone call and you consent to Gilead using your personal information for this purpose. 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 at the address below or by unsubscribing using an unsubscribe facility in an email or SMS. If you request not to receive marketing material from Gilead, please note that Gilead may still contact you to provide you with other types of non-marketing information such as changes to PBS listings.

Gilead may engage other persons or organisations (for example, travel agents, professional conference organisers, clinical research organisations, contract sales/marketing organisations, and suppliers of sales statistics and healthcare practitioner databases) to assist Gilead in carrying out the above purposes. Your personal information may be disclosed to such persons or organisations for these purposes and, in providing a service, they may contact you directly. In some circumstances they may disclose personal information they collected from you to Gilead or related bodies corporate of Gilead for one or more of the purposes already mentioned. Gilead will hold, use and disclose all personal information it collects from third parties about you in the manner described in this statement.

Gilead may also disclose your personal information to:

- (a) 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 for a purpose related (or directly related in the case of sensitive information) to a purpose listed above. They may disclose your personal information to the types of organisations

mentioned in the paragraph immediately above. You may be contacted directly by a Gilead affiliate;

- (b) regulatory authorities when notifying adverse events;
- (c) third parties for the purpose of them compiling sales statistics and databases of healthcare practitioners; and
- (d) parties involved in a prospective or actual transfer of Gilead's assets or business.

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 will collect personal information about you including the following information:

- (a) name and profession;
- (b) business/practice address;
- (c) 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;
- (d) the amount of the financial payment or the value of any non-monetary benefits you individually received from Gilead including air travel, accommodation costs (room rate) and registration fees paid by Gilead and/or reimbursed to you; and
- (e) any financial payments made or non-monetary benefits given to third parties as directed by you,

("Transparency Data").

Gilead Australia and Gilead New Zealand will disclose the Transparency Data to one another and to their related bodies corporate (including outside Australia and New Zealand).

Gilead Australia

In accordance with the MA Code, or other applicable international regulations, Gilead Australia and/or its related bodies corporate will also publically disclose some or all of the Transparency Data. Specifically, in accordance with the transparency obligations in the MA Code, Gilead Australia will publish as much of the Transparency Data as required and in a manner which individually identifies you on the <http://www.gilead.com/about/worldwide-operations/australia> for three years from the date of publication of that information by Gilead Australia. Gilead Australia will also report Transparency Data to Medicines Australia which will then be published in a manner which individually identifies you on Medicine Australia's publically available Central Reporting System. Gilead Australia will give you an opportunity to review and submit corrections to the Transparency Data before that information is published.

You are responsible for obtaining any necessary approvals (e.g., from your employer or professional body) for Gilead Australia and its related bodies corporate to collect, use and disclose the Transparency Data as described above.

If you are a healthcare practitioner, by accepting payment or a non-monetary benefit from Gilead Australia, you acknowledge the collection, use and disclosure of the Transparency Data by Gilead Australia and its related bodies corporate as described above. If you do not want the financial payment or non-monetary benefit provided to you by Gilead Australia publically disclosed, you should not engage in the relevant services/activities/events or accept any services and benefits from Gilead Australia.

Gilead New Zealand

There is currently no New Zealand legal requirement for Gilead New Zealand to report Transparency Data to a regulatory authority, industry body or make the Transparency Data publicly available. However the collection, use, processing, storage and disclosure of Transparency Data is still governed by the New Zealand Information Privacy Principles and the NZ Privacy Act.

If you are a healthcare practitioner, by accepting payment or a non-monetary benefit from Gilead New Zealand, you acknowledge the collection, use and disclosure of the Transparency Data by Gilead New Zealand and its related bodies corporate as described above. If you do not want Gilead New Zealand to collect information about any financial payment or non-monetary benefit provided to you by Gilead New Zealand, then you should not engage in the relevant services/activities/events or accept any services and benefits from Gilead New Zealand.

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.

Gilead stores some personal information on servers in the United States of America, the United Kingdom and Ireland. Further, some organisations to which we disclose personal information may be located, or may store information on computer servers, overseas. For example, Gilead:

- (a) shares personal information (including Transparency Data as described above) between Gilead Australia and Gilead New Zealand as well as with personnel of Gilead's related bodies corporate in Europe, Asia, South America and North America (a list of countries in which Gilead has related bodies corporate can be found at <http://www.gilead.com/about/worldwide-operations>); and
- (b) may 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.

Gilead will allow you to access and/or correct personal information it holds about you as required by law. Further information about how you may seek to access your personal information held by Gilead and seek the correction of such information can be found in the Privacy Policy of Gilead. The Privacy Policy of Gilead also contains information about how you may complain about a breach of the Privacy Act and how Gilead will deal with such a complaint. You can obtain a copy of the Privacy Policy of Gilead free of charge at http://www.gilead.com/-/media/files/pdfs/other/privacy_policy.pdf?la=en or by contacting the Privacy Officer at the address below or by emailing AU.Privacy@gilead.com. If you do not provide personal information requested of you to Gilead, we may be unable to contact you to perform the abovementioned functions.

The address of Gilead Sciences Pty Ltd (Australia) is Level 6, 417 St Kilda Road, Melbourne, Victoria, 3000. The address of Gilead Sciences (NZ) (New Zealand) is C/- Grant Thornton New Zealand Limited, Level 4, 152 Fanshawe Street, Auckland 1010. If you have any queries about how Gilead handles your personal information please write to: Privacy Officer, Gilead Sciences Pty Ltd, at the above address or AU.Privacy@gilead.com.

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This is an electronically controlled document. User is responsible for verifying and using the effective version.

Attachment 2: Short-Form Privacy Statement for Health Care Professionals and Interested Persons

Gilead Sciences Pty Limited and Gilead Sciences (NZ) (together “**Gilead**”) are committed to protecting the privacy of your personal information and comply with the Australian Privacy Act 1988 (Cth) and the New Zealand Privacy Act 1993 respectively to ensure that your personal information is protected. Gilead handles all of your personal information in accordance with Gilead's Privacy Policy and Personal Information Collection Statement which have been provided to you and/or can be accessed at <http://www.gilead.com/about/worldwide-operations/australia>. From time to time, Gilead may also provide you with marketing material about Gilead's products and services including by email, SMS and telephone call and other forms of communication.

By providing your personal information to Gilead, you agree to the terms of Gilead's Privacy Policy, and Personal Information Collection Statement and you consent to Gilead using your personal information for the purpose of sending you marketing material about Gilead's products and services and for the purposes set out in the Privacy Policy and Personal Information Collection Statement.

If you do not want to receive marketing information about Gilead products or services, you can withdraw your consent at any time by contacting the Privacy Officer at Gilead's address below (or AU.Privacy@gilead.com) or by unsubscribing using an unsubscribe facility in an email or SMS. If you request not to receive marketing material from Gilead, please note that Gilead may still contact you to provide you with other types of non-marketing information such as changes to PBS listings.

If you have any queries about how Gilead handles your personal information or would like to access or correct your personal information, please write to: Privacy Officer, Gilead Sciences Pty Ltd, Level 6, 417 St Kilda Road, Melbourne, 3004 or AU.Privacy@gilead.com.

Attachment 3: Statement Regarding Retention of Personal Information for Job Applicants

Gilead Sciences Pty Ltd and Gilead Sciences (NZ) (together "**Gilead**") comply with the relevant privacy laws to ensure that your personal information is protected. Gilead collects your personal information for the purposes of assessment relating to employment and contractor selection at Gilead.

Where you provide us with personal information about others (e.g. current employer, referee), we encourage you to inform them where suitable that you have done so and that they can contact us for further information. Referees supplied on your resume will not be contacted by Gilead without your prior consent.

Gilead will collect your personal information directly from you where it is reasonable and practicable to do so. You agree to Gilead collecting your personal information from recruitment agencies, its related bodies corporate or current or former Gilead employees in order to recruit suitable candidates for employment at, or engagement by, Gilead. Gilead will hold, use and disclose all personal information it collects from third parties about you for the purposes described in this statement.

Information collected in the selection process will form part of your employee record or your contractor record in the event that your application is successful. If your application is unsuccessful your information will usually be destroyed. However, in some circumstances we may keep your application on file if we believe you may be suitable for other future vacancies. You may contact us if you do not wish for us to retain your information or you wish to correct your information.

Further information about how you may seek to access your personal information held by Gilead and seek the correction of such information can be found in the Privacy Policy of Gilead. The Privacy Policy of Gilead also contains information about how you may complain about a breach of the Australian *Privacy Act 1988* (Cth) or the *New Zealand Privacy Act 1993* and how Gilead will deal with such a complaint. You can obtain a copy of the Privacy Policy of Gilead free of charge at http://www.gilead.com/-/media/files/pdfs/other/privacy_policy.pdf?la=en or by contacting Human Resources, Gilead Sciences Pty Ltd at the address below.

Gilead may disclose your personal information to our related bodies corporate and agents for the purposes outlined above (such as recruitment agencies).

Gilead stores some personal information on servers in the United States of America, the United Kingdom and Ireland. Further, some organisations to which we disclose personal information may be located, or may store information on computer servers, outside Australia. For example, Gilead:

- (a) shares personal information with personnel of Gilead's related bodies corporate in Europe, Asia, South America and North America (a list of countries in which Gilead has related bodies corporate can be found at <http://www.gilead.com/about/worldwide-operations>); and
- (b) may disclose your personal information to, where Gilead may be organising travel on your behalf, overseas travel agents.

If you do not provide relevant information to us, we may be unable to assess your suitability for employment at, or engagement by, Gilead.

The address of Gilead Sciences Pty Ltd is Level 6, 417 St Kilda Road, Melbourne, Victoria, 3000. The address of Gilead Sciences (NZ) (New Zealand) is C/- Grant Thornton New Zealand Limited, Level 4, 152 Fanshawe Street, Auckland 1010. If you have any queries about how Gilead handles your personal information please write to: Human Resources, Gilead Sciences Pty Ltd at the above address.

Effective

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Attachment 4: Gilead Australia Fellowship Website Privacy Statement

1. Background

The GILEAD AUSTRALIA FELLOWSHIP website and the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM are provided by Gilead Sciences Pty Ltd ("Gilead"). Gilead understands the importance of safeguarding the privacy of visitors to the GILEAD AUSTRALIA FELLOWSHIP website. This Privacy Statement explains how we handle any personal information that may be collected through this website. It does not apply to personal information collected by Gilead elsewhere. For information about how Gilead manages personal information generally, please see the Gilead Privacy Policy. A copy of our Privacy Policy can be obtained by calling 1800 806 112 (free call within Australia) or by clicking this hyperlink: <https://gileadfellowship.com.au/PrivacyPolicy> Gilead understands that when interacting with us the privacy and confidentiality of your personal information is important to you. That is why we are committed to safeguarding the personal information you provide to us. Gilead's intention is to use the personal information provided to us by you to make any dealings with Gilead better suited to your needs.

Gilead believes that choice is one of the most important privacy principles. By providing us with your personal information, you are consenting to the collection and handling of your personal information in the manner set out in this Privacy Statement. You have the choice not to submit personal information (other than as may be required by law) to us although this may result in us being unable to provide products and services to you or reduce your ability to fully participate in all aspects of the GILEAD AUSTRALIA FELLOWSHIP website. For example, you may not be able to apply to the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM.

Gilead engages an authorised independent third-party contractor, currently ZEST Healthcare Communications ("ZEST"), to assist it in providing services for the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM, including the hosting of the GILEAD AUSTRALIA FELLOWSHIP website on servers located in Australia and the collection of information through the website. Personal information collected through the website by ZEST is stored on Gilead's behalf on Australian servers and handled in accordance with this Privacy Statement and the Gilead Privacy Policy. Information collected by ZEST is communicated to Gilead as well as the independent judging panel who consider applications made under the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM.

2. What is "personal information"?

"Personal information" means information or an opinion about an identified individual, or an individual who is reasonably identifiable whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not. It includes information such as your name, address, date of birth, phone number and health information.

3. Collection of personal information

We collect your personal information on this website to provide and administer this website and the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM.

We collect your personal information on this website only when you, or a person submitting personal information on your behalf, chooses to provide it to us, for example, if you complete the registration form for the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM.

Gilead will collect your personal information directly from you where it is reasonable and practicable to do so. However, Gilead may collect your personal information from third parties such as: ZEST (as the host of the GILEAD AUSTRALIA FELLOWSHIP website) or from third parties such as your employer, colleagues or research institute (who may complete and submit a grant application on your behalf). Depending on the type of research proposal or grant applied for, Gilead may collect information from a number of proposed participants under a single application.

4. Use of personal information

We will use the personal information about you that has been provided to us through the website for the purposes for which we collect it as described above, including to:

- facilitate the receipt of, and assess, applications for the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM;
- pay grants to the successful applicants of the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM;
- manage our ongoing relationship with successful applicants of the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM;
- arrange, co-ordinate and provide the GILEAD AUSTRALIA FELLOWSHIP: RESEARCH GRANTS PROGRAM SYMPOSIUM; and
- manage, administer, monitor, assess, develop and improve the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM and the GILEAD AUSTRALIA FELLOWSHIP website.

We may also use your personal information for such other purpose for which it was provided to us (for example, to respond to a query you may have).

In general, Gilead uses personal information for the following purposes:

- sending you material (including by text message or email) either directly or through authorised third parties such as ZEST or the independent judging panel, related to the review, approval and administration of the GILEAD AUSTRALIA FELLOWSHIP RESEARCH GRANTS PROGRAM;
- administering conferences, symposia, expert panels, seminars or other similar programs organised by us, which you agree to participate in or be involved with;
- to comply with legal obligations such as notifying you of matters that we may be required by law to notify you of; and
- monitoring and reviewing our compliance with relevant regulations and codes of conduct in our dealings with you and monitoring the quality, safety and efficacy of our products.

5. Disclosure of personal information

In order to carry out the above purposes, Gilead may disclose your personal information to persons or organisations such as:

- our service providers such as ZEST;
- our related bodies corporate within or outside of Australia (refer below for more details) in which case your personal information will be collected, used, disclosed, managed and stored in accordance with this Privacy Statement;
- third parties within or outside of Australia, for example Gilead affiliated companies, agencies, financial institutions, independent judging panel members and assessors and Gilead's professional advisors. For the avoidance of doubt, disclosures of personal information to financial institutions will be made for contact purposes, as payments should be made to relevant research or medical institutions; and
- regulatory authorities, within or outside of Australia, for the purposes of evaluation, monitoring or inspection processes.

Your personal information will typically be disclosed to persons or organisations in Australia and New Zealand, but also to persons or organisations in the European Union and the United States of America. Specifically, Gilead shares personal information with personnel of Gilead's related bodies corporate in Europe, Asia, South America and North America (a list of countries in which Gilead has related bodies corporate can be found at <http://www.gilead.com/about/worldwide-operations>). We may also disclose your personal information when required or authorised by or under applicable law.

6. Security of personal information

Gilead is committed to keeping your personal information secure. All reasonable precautions will be taken to protect information from loss, misuse or alteration. We will take all reasonable steps to protect the personal information that we hold from misuse, loss, or unauthorised access.

While we endeavour to keep information on this website, including information provided by you or on your behalf, secure and confidential, subject to any consumer guarantees provided for in consumer protection legislation (including the Australian Consumer Law), we will not be responsible for any breach of security caused by third parties and do not represent that this website is completely secure.

Gilead has directed its staff that personal information must be kept secure from unauthorised access or disclosure. We will limit access to personal information to Gilead personnel on a need to know basis. We educate our staff about their duty to protect your privacy and provide training regarding the Privacy Policy. A copy of the Privacy Policy can be found here: <https://gileadfellowship.com.au/PrivacyPolicy>

7. Cookies

Gilead, in common with many website operators, uses standard technology called cookies on this website. Cookies are small data files that are downloaded onto your computer when you visit the website. Cookies help provide additional functionality to the site or help us analyse site usage more accurately. For instance, our server may set a cookie that keeps you from having to enter a password more than once during a visit to one of our sites. In all cases in which cookies are used, the cookie will not collect personal information except with your explicit permission. You can disable cookies by turning them off in your browser, however, some areas of this website may not function properly if you do so.

8. Spam

Gilead's interactions with you are also regulated under the *Spam Act 2003* (Cth). Gilead complies with these laws and will not send you a commercial electronic message unless permitted by that Act. If you provide your email address to Gilead, you consent to Gilead using your email address to contact you for any of the purposes listed above.

9. Mail and email information

If you wish to stop receiving any e-mails or other communications from Gilead which may be sent to you in the future, or if you have submitted personally identifiable information through this website and would like to have that information deleted from our records, please notify our Privacy Officer. The Privacy Officer's contact details are set out below.

Gilead will preserve the contents of any e-mail message that you send or information that you provide through or as a result of this website if we believe that we have a legal requirement to do so. E-mails sent to or from Gilead are routinely monitored for quality control, systems administration and legal compliance purposes.

10. Information that does not identify you

Some of the information that is collected during your visit to this website is not personal information, because it does not reveal your identity. For example, we may record your server address, domain name, the date and time of your visit to this site and the pages that you viewed. This information is used by us in anonymous, aggregated form only, for statistical and website development purposes. However, Gilead reserves its right to use or disclose this information to try to locate an individual where it reasonably believes that the individual may have engaged in any unlawful or inappropriate activity in connection with this website.

11. Queries, access and correction

If you have any queries about this Privacy Statement, or if you would like to request access to and/or correction of the personal information that Gilead holds about you, please contact our Privacy Officer:

Privacy Officer
Level 6
417 St Kilda Road
Melbourne
Victoria 3000
Telephone: (03) 9272 4400
Fax: (03) 9272 4411

Gilead will generally provide you with access to, or allow you to correct, the personal information it holds about you, subject to some exceptions permitted by law. Gilead endeavours to ensure that the personal information it holds is accurate, complete and up-to-date.

Our Privacy Policy also contains details on how you can request access to and/or correction of the personal information that Gilead holds about you. A copy of the Privacy Policy can be found here: <https://gileadfellowship.com.au/PrivacyPolicy>

12. Complaints

If you have any concerns or complaints about the manner in which your personal information has been collected or handled by Gilead, please contact the Privacy Officer whose contact details appear above.

Our Privacy Policy also contains details on how you can make a complaint about the way your personal information is being handled by Gilead and how Gilead will deal with your complaint. A copy of the Privacy Policy can be found here: <https://gileadfellowship.com.au/PrivacyPolicy>

13. Amendments to this Privacy Statement

This Privacy Statement is effective from March, 12th 2014. We may amend this website Privacy Statement from time to time by placing an amended version on this website.

Effective

This is an electronically controlled document. User is responsible for verifying and using the effective version.

Attachment 5: Privacy Statements for Patients

Part A: Privacy preamble for receptionist (receptionist to read preamble to the patient prior to putting the caller through to the MedInfo voicemail system)

Thanks for your query.

I will forward you to our MedInfo line where a representative can help with your query. When I forward you, you will first hear a recorded privacy message about the way we handle your personal information. Following the privacy message, you will either be put through to one of our MedInfo line representatives or you can leave your name, phone number and detailed message on our voicemail system and a representative will return your call shortly.

I will put you through now.

Part B: MedInfo Patient Privacy Statement (for MedInfo voicemail system)

Privacy preamble

Thanks for calling Gilead Australia's MedInfo line. This service is provided on behalf of Gilead Australia. The following recorded message gives you important information about how Gilead Australia collects, uses and discloses your personal information, and about your rights in relation to your personal information. This recorded message was last updated on [say relevant date].

If you have previously listened to the recorded message in full, agree to your personal information being handled as outlined in the message and do not wish to listen to the message again, please press #. Otherwise, please stay on the line to hear our Privacy Statement.

Privacy Statement (unless the caller pressed #)

Gilead Australia will collect and use your personal and sensitive information to respond to your query, including to contact you for follow up purposes, maintain a record of queries raised and responses provided, and for reporting purposes including adverse event reporting. If you provide your email address, mobile phone number and/or telephone number during this call, you consent to Gilead Australia using your email address, mobile phone number and/or telephone number to contact you to respond to your query or for follow up purposes. Your consent will remain current until you advise us otherwise by informing our representative.

Gilead Australia may disclose your personal and sensitive information to contractors engaged by Gilead Australia to assist in the provision of services. Gilead Australia may also collect your personal and sensitive information from such persons. Gilead Australia stores your personal and sensitive information on servers in the USA, the United Kingdom and Ireland which may be accessed by personnel of Gilead Australia's related bodies corporate in Europe, Asia, South America, North America and New Zealand. A list of countries in which Gilead Australia has related bodies corporate can be found at <http://www.gilead.com/about/worldwide-operations>.

Information about how you may seek to access or correct your personal and sensitive information held by Gilead Australia can be found in our Privacy Policy. Our Privacy Policy also contains information about how you may complain about a breach of the Privacy Act and how Gilead Australia will deal with such a complaint. You can access our Privacy Policy at http://www.gilead.com/-/media/files/pdfs/other/privacy_policy.pdf?la=en or ask our representative for a copy. Please let our representative know if you do not consent to us collecting, using and disclosing your personal and

sensitive information in this way. If you do not provide your personal and sensitive information to us, we may be unable to assist you with your query.

If you have any queries about how Gilead Australia handles your personal and sensitive information please write to the Privacy Officer at Level 6, 417 St Kilda Road, Melbourne, Victoria, 3000 or telephone (03) 9272 4400 or email us at AU.Privacy@gilead.com.

Effective

This is an electronically controlled document. User is responsible for verifying and using the effective version.

HISTORY OF REVISIONS

Effective Date	Version	Author	Description of Changes
Refer to EDMS	3.0	Tara Eaton	Throughout: Updated for range of issues including use of information and range of individuals. Updated to include New Zealand privacy requirements and laws.
02-Aug-2017	2.0	Tara Eaton	Converted this SOP into tabular SOP template. Revised for transparency requirements and updated disclosure.
03-Feb-2016	1.0	Tara Eaton	Converted from SOP-AU-MED-1006 (obsoleted). Revised SOP given transparency and collection / use / disclosure of patient information

This is an electronically controlled document. User is responsible for verifying and using the effective version.



GILEAD

Procedural Document Training Form

Procedural Document No. and Version No.: SOP-AU-LIP-1000 (3.0)

Procedural Document Title: **Collection, Use, and Disclosure of Personal Information by Gilead Sciences Pty Ltd and Gilead Sciences New Zealand**

Signature of this form indicates that I have read the above referenced Procedural Document, understand its purpose, and agree to use it as required.

Print Name: _____

Signature: _____

Date: _____

Effectively

This is an electronically controlled document. User is responsible for verifying and using the effective version.

Document Number: SOP-AU-LIP-1000
Revision Number: 3.0 CURRENT
Title: Collection, Use, and Disclosure of Personal Information by Gilead Sciences Pty Ltd and Gilead Sciences New Zealand
Document Type: Procedure **Doc Sub-Type:** Affiliate SOP
Status: Effective
Effective Date: 05-Sep-2018 **Date Approved:** 16-Aug-2018

Approved By	Meaning of Signature	Date Approved
Tara Eaton — Dir, Legal	Approved	25-Jul-2018 03:53:16
Paul Slade — Dir, Med Affairs	Approved	25-Jul-2018 02:08:40
Louise Bell — Mgr, HR	Approved	16-Aug-2018 01:26:49
Robert Hetherington — General Manager	Approved	25-Jul-2018 22:20:31