



## Healthcare Professionals Privacy Notice - KSA

Date: 1 November 2023

### Introduction

**Biogen Arabia Limited** (“**Biogen**”) interacts with healthcare professionals (“**HCPs**”) in many ways. Biogen collects “**personal data**” (meaning any information relating to an identified or identifiable natural person) about HCPs for different purposes directly from the HCPs themselves, from third parties (such as patients, caregivers or other medical professionals) and from publicly available sources. The following paragraphs set out when we process HCP personal data: (i) the purposes of the processing; (ii) what personal data is processed; (iii) how we obtain the personal data; (iv) the legal basis upon which we process the personal data; and (v) the foreseen retention period for which the personal data will be stored or the criteria used to determine the period. We also explain HCPs’ rights in relation to this collection and use. HCP personal data will not be subsequently processed by Biogen in a manner inconsistent with the purposes for of the processing as described in this Privacy Notice.

### Personal data we collect and how we use it

#### (a) Transfers of value

**Purposes of the processing:** Biogen collects records regarding any transfer of value made to HCPs. Further, Biogen may be required under relevant transparency laws and/or industry codes applicable in the country of the HCPs primary place of practice to publish and share such information. In particular, Biogen will record the precise amount of direct and indirect payments, whether in cash, in kind or otherwise, made to an HCP or for an HCP’s benefit including the respective types of non-monetary benefits received by Biogen (directly or indirectly), e.g., services rendered by a third-party vendor engaged by Biogen, the relevant reporting period for a transfer of value and the purpose of the transfer of value. The reporting period is the relevant calendar year. Reporting to the authority shall be made once a year, generally no later than by end of February for the preceding calendar year. The personal data we collect is mandatory.

#### **What personal data is processed:**

- name;
- contact details (postal address, e-mail address, phone number or fax number);
- professional information (such as practice/specialism and HCP identification number); and
- transfer of value details (such as contribution to costs related to educational events, including registration fees, travel and accommodation expenses, fees for services, including speaker and consultancy services, the funding and payment of research and development work, including non-clinical studies, clinical trials and non-interventional studies and the payment for the transfer of any intellectual property rights associated with research and development work).

**How we obtain the personal data:** Directly from the HCP when entering into a contract and during our relationship.

**Legal basis for processing:** (i) necessary for the performance of the contract with the HCP; and (ii) to comply with Biogen’s legal obligations with respect to good accounting practice. If an HCP fails to provide necessary personal data, we may be unable to enter into a contract with the HCP.

**Legal basis for publishing:** To comply with the Saudi Food & Drug Authority Transparency and Disclosure Procedures Guide for Financial and Material Support from Medical Companies of 2016 (as amended).



**Retention period:** No longer than necessary for the purposes for which it has been collected and in accordance with any specific retention periods required by law. The period is generally 5-10 years but if related to clinical development the maximum period is 25 years from the end of the life of the concerned Biogen product.

## **(b) Product complaints and adverse events**

**Purposes of the processing:** Pharmacovigilance laws require us to collect product complaints and other safety information to enable us to monitor the safety of all products that we market or have in clinical development. These obligations include taking detailed records of every unwanted, untoward, unintended or harmful event in relation to the use of a Biogen medicinal product (“**adverse event**”) passed to us, which allows the adverse event to be evaluated and collated with other adverse events or complaints recorded about that product. To help us meet these obligations and ensure the safety of our products, we collect personal data about HCPs and may use HCP personal data to:

- investigate the adverse event or product complaint;
- contact the HCP for further information about the adverse event or product complaint reported;
- collate the information about the adverse event or product complaint with information about other adverse events or product complaints received by us to analyse the safety of a batch, Biogen product or active ingredient as a whole; and
- provide mandatory reports to national or regulatory authorities so that they can analyse the safety of a batch, Biogen product, generic or active ingredient as a whole, alongside reports from other sources.

The personal data we collect is mandatory. Information provided as part of an adverse event report is shared within Biogen on a worldwide basis through Biogen’s Global Safety Database, hosted in the United States by Biogen, Inc. Biogen is also obliged to transfer adverse event data to national regulatory authorities for their databases and to the European Medicine Agency’s EudraVigilance database.

### **What personal data is processed:**

- name;
- relationship with the subject of the report;
- contact details (address, e-mail address, phone number or fax number); and
- profession/specialism (this information may determine the questions an HCP is asked about an adverse event, depending on their assumed level of medical knowledge).

**How we obtain the personal data:** We collect this information directly from the HCP when they provide us with information in relation to an adverse event that has affected a patient. We may also collect this information from a patient or another third party reporting an adverse event that affected the patient (such as caregivers or other medical professionals).

**Legal basis for processing:** Biogen’s legal obligation under pharmacovigilance laws, which require us to ensure that adverse events are traceable and available for a follow-up.

**Retention period:** For adverse event reports: for at least 50 years after the date of the expiry of the marketing authorisation of the product. For product complaints and investigations: at least 10 years after closing the investigation.

## **(c) Customer relationship management**



**Purposes of the processing:** Biogen collects and uses HCP personal data in order to administer our relationship with an HCP (such as to arrange visits) and to build a profile about the HCP, in order to understand his/her areas of expertise and topics of interest better. The personal data we collect is optional.

**What personal data is processed:**

- name;
- contact details (address, e-mail address, phone number or fax number);
- opinions on Biogen and our products/therapeutic areas gained through feedback or satisfaction surveys; and
- academic and professional information (such as employment history, academic background, field of expertise and specialisation, publications and public speeches, interest in Biogen products and treatment habits, etc.).

**How we obtain the personal data:** Biogen collects most of this information directly from the HCP through field force conversations and feedback surveys, but we may also collect information from publicly available sources (including the internet and through social media listening) and from industry databases that contain details about HCPs (for example, to make sure the record that Biogen maintains about the HCP is up-to-date and accurate, or to supplement incomplete information).

**Legal basis for processing:** It is in Biogen's legitimate interests to collect this personal data from the HCP to maintain and enhance Biogen's business relationship with him/her.

**Retention period:** No longer than necessary for the purposes for which it has been collected, but for a maximum period of 3 years after the date of the last interaction.

**(e) Business relationship management**

**Purposes of the processing:** Biogen collects and uses HCP (including Key Medical Experts (KMEs) personal data to administer, determine if it should enter into, or renew, a business relationship with an HCP (for example, to perform studies, surveys or market research, present or speak to internal or external audiences, to participate in advisory boards or attend any other meetings or events, including congresses). The personal data we collect is optional. We require this information to:

- evaluate an HCP's professional history for our due diligence purposes as a responsible company (including compliance with anti-bribery and corruption laws);
- determine an HCP's level of expertise, in particular, when trying to establish if the HCP is a KME;
- determine an HCP's level of remuneration based on their professional qualifications;
- organise any travel and accommodation on an HCP's behalf; and
- ultimately, enter into, or renew, a contract with the HCP.

**What personal data is processed:**

- name;
- hotel rewards code or frequent flyer number;
- passport details (such as passport number and validity dates);
- gender;
- date of birth;
- emergency contact details (such as name and phone number of next of kin);
- contact details (address, e-mail address, phone number or fax number); and
- academic and professional information (such as employment history, academic background, field of expertise and specialisation).



**How we obtain the personal data:** Biogen collects most of this information directly from the HCP when they provide us with their curriculum vitae. We also collect information about HCPs from publicly available sources to evaluate compliance with anti-bribery and corruption laws. This information is only processed where relevant and necessary to evaluate a HCP's background properly and to meet our commitment to deal only with valid and ethical business partners.

**Legal basis for processing:** (i) necessary for the performance of the contract with the HCP; and (ii) to comply with Biogen's legal obligations regarding combatting bribery and corruption (e.g. to determine fair market value levels of remuneration); (iii) it is in Biogen's legitimate interests to collect this personal data from the HCP to understand his/her areas of expertise, topics of interest and opinions better, in order to gain insights and views on Biogen, the life sciences sector and sentiments in the healthcare community on various related issues and topics, also potentially to determine if the HCP is a candidate for possible engagement. If an HCP fails to provide necessary personal data, we may be unable to enter into a contract with the HCP.

**Retention period:** For so long as is necessary to comply with our legal obligations and best practice for a responsible company in its dealings with external stakeholders, but for no longer than 10 years from the date of collection of the data.

#### **(f) Healthcare market research by research vendors**

**Purposes of the processing:** Biogen collects and uses personal data about HCPs when they are invited to, and participate in, market research studies or surveys, conducted by an independent research vendor, which is usually a controller under data protection law and will provide respondent HCPs with a requisite privacy notice explaining the research project and related privacy rights. The personal data we collect is optional.

**What personal data is processed:** If Biogen is also deemed a controller under data protection law, we will not typically receive any personal data of a respondent HCP ourselves, but may provide the research vendor with the following data of HCPs whom we recommend should be included in the research project (however the vendor ultimately decides whom to include in the respondent list):

- name; and
- contact details (address, e-mail address, phone number or fax number).

**Legal basis for processing:** Biogen's legitimate interest for the research vendor to process the personal data in order to gather data about our company and the industry that we work in, to improve our understanding of it and the way that we work.

**Retention period:** For no longer than 5 years from the end of the research.

#### **(g) Grants, donations and sponsorship applications**

**Purposes of the processing:** Biogen collects and uses personal data about HCPs when they make, or a healthcare organisation that they work for makes, an application for a grant, donation or sponsorship. The personal data we collect is both optional and mandatory. We require this information to:

- consider a conflict of interest that has been disclosed or investigate a possible conflict of interest;
- evaluate the HCP's professional history for our due diligence purposes as a responsible company (including the HCP's compliance with anti-bribery and corruption laws); and
- determine the HCP's, or their employer healthcare organisation's, eligibility to receive the grant, donation or sponsorship.



**What personal data is processed:**

- name;
- professional title;
- contact details (such as postal address, e-mail address and telephone number); and
- academic and professional information (such as employment history, academic background, field of expertise and specialisation, publications and public speeches, interest in Biogen products and treatment habits).

**How we obtain the personal data:** Biogen collects most of this information directly from the HCP when we receive an application from the HCP, or the healthcare organisation that they work for, to receive a grant, donation or sponsorship. We may also collect information about an HCP from publicly available sources to evaluate the HCP's compliance with anti-bribery and corruption laws or a conflict of interest. This information is only processed where relevant and necessary to evaluate the HCP's background properly and to meet our commitment to only award grants, donations and sponsorship to valid and ethical business partners.

**Legal basis for processing:** (i) Biogen's legitimate interest to process the optional personal data in order to determine the HCP's, or their employing healthcare organisation's, eligibility to receive the grant, donation or sponsorship; and (ii) compliance with the legal obligations on Biogen regarding combatting bribery and corruption. This personal data is mandatory. If an HCP fails to provide necessary personal data, we may be unable to enter into a contract with the HCP or the healthcare organisation they work for.

**Retention period:** For so long as is necessary in order for us to comply with our legal obligations and best practice for a responsible company in managing its grant, donation and sponsorship applications, and in its dealings with other organisations, but for no longer than 10 years from the date the relevant application was received.

**(h) Legally required communications**

**Purposes of the processing:** In certain cases, Biogen is legally required to send a specific communication to HCPs, for example as a condition of a licence for a product or because of identified safety issues. The personal data we collect is mandatory.

**What personal data is processed:**

- name; and
- contact details (such as postal address, e-mail address and telephone number).

**How we obtain the personal data:** Either from our own internal sources or from HCP database providers who can provide us with accurate HCP contact details or send the communications on Biogen's behalf.

**Legal basis for processing:** Necessary for compliance with a legal obligation on Biogen.

**Retention period:** For no longer than necessary for the purposes for which has been collected and in accordance with any specific retention periods required by law, but for a maximum period of 25 years from the end of the life of the concerned Biogen product.

**(i) Medical information**



**Purposes of the processing:** To maximise patient safety in using Biogen products, Biogen provides a medical information service to respond to enquiries from consumers, patients, and healthcare professionals relating to any aspect of use or information surrounding a Biogen product. The personal data we collect is optional.

**What personal data is processed:**

- name;
- contact details, such as address, e-mail address and/or phone number;
- details of the enquiry; and
- additional physician professional information (for example, in order to verify that we are liaising with a qualified doctor).

**How we obtain the personal data:** We usually receive the data from the HCP directly (for example, when the HCP e-mails or phones us) or from a third party which passes this information on to us, such as a distributor, homecare programme, or contact centre which takes calls on our behalf.

**Legal basis for processing:** We process personal data in our medical information service based on Biogen's legitimate interests to ensure general enquiries are addressed in relation to our products, as a responsible pharmaceutical company.

**Retention period:** For no longer than necessary for the purposes for which the data has been collected and in accordance with any specific retention periods required by law. In general, we keep personal data for medical information purposes for up to 6 years from the date of collection of the data.

**(j) Clinical trials**

Biogen collects and processes personal data about HCPs (including principal investigators and study site coordinators) in connection with the services they provide as study staff in conducting a clinical trial or study for which Biogen is a sponsor for the following three main purposes:

- **Verify study staff professional background and qualifications**

**Purposes of the processing:** We collect information about HCPs to assess the HCP's suitability to perform their tasks in conducting the clinical trial or study.

**What personal data is processed:** HCP's academic and professional information (such as employment history, academic background and training, field of expertise and specialisation, and professional practicing or licensing details).

**Legal basis for processing:** To comply with the legal obligations imposed on Biogen under clinical trials laws. If an HCP fails to provide necessary personal data, we may be unable to enter into a contract with the HCP or allow them to take part in a clinical trial.

- **Communicate with study staff HCPs in the ordinary course of business**

**Purposes of the processing:** We collect and use the personal data of HCPs to manage and administer our relationship with these HCPs.



**What personal data is processed:** The information we may collect about study staff includes full name and contact details (such as postal address, e-mail address, phone number or fax number).

**Legal basis for processing:** (i) Where there is a contract between the HCP and Biogen, it is necessary for performance of that contract; or (ii) where there is no contract between the HCP and Biogen, processing is in the legitimate interests of Biogen to be able to carry out its clinical trials, studies or research. If an HCP fails to provide necessary personal data, we may be unable to enter into a contract with the HCP.

- **Manage and administer financial payments to study staff HCPs.**

**Purposes of the processing:** We collect and use HCP personal data for compensation or reimbursement purposes.

**What personal data is processed:** The additional information we collect about HCPs is financial details (such as bank account details).

**Legal basis for processing:** (i) Where there is a contact between the HCP and Biogen, it is necessary for performance of that contract; and (ii) to comply with our legal obligations relating to accounting and book-keeping. If an HCP fails to provide necessary personal data, we may be unable to enter into a contract with the HCP.

**How we obtain the personal data:** We collect this information about HCPs directly from the HCP or from third parties (such as the HCP's employer or publicly available sources).

**Retention period:** For no longer than 25 years from the end of the life of the concerned Biogen product.

#### **(k) Educational support and training**

**Purposes of the processing:** Biogen collects and uses personal data about HCPs to be able to provide them with educational support and training. The personal data we collect is optional.

**What personal data is processed:**

- name;
- professional title;
- contact details (such as e-mail address, postal address including the name of the hospital where the HCP works, and telephone number); and
- other relevant academic and professional information to determine the HCP's eligibility for educational support and training, and the appropriate level of educational support and/or training.

**How we obtain the personal data:** Biogen collects most of this information directly from the HCP when we receive a request for educational support and/or training, or the healthcare organisation that they work for.

**Legal basis for processing:** The legitimate interests of Biogen to consider the educational support and/or training requested, evaluate the HCP's eligibility to receive it, and to determine the appropriate level of the educational support and/or training to be provided.

**Retention period:** For no longer than 10 years from the date of collection of the data.



## (l) Meetings and events

**Purposes of the processing:** Biogen collects and uses personal data about HCPs when they register for, attend, or participate in, virtual or in-person meetings or events. The personal data we collect is optional.

**What personal data is processed:** The personal data that we collect about an HCP will depend on whether the HCP is attending the meeting or event or participating in it, however, this typically includes:

- name;
- contact details (address, e-mail address, phone number or fax number); and
- additional physician professional information (for example, in order to verify that the HCP is, in fact, an HCP).

**How we obtain the personal data:** Biogen collects most of this information directly from the HCP when they register for the meeting or event or confirm their participation in it, or the healthcare organisation that they work for.

**Legal basis for processing:** Biogen's legitimate interests to collect this personal data from the HCP in order to manage the meeting or event and to administer the HCP's attendance and/or participation and in some cases, process an HCP's registration for the meeting or event in our events management tool.

**Retention period:** For no longer than 10 years from the date of collection of the data.

## (m) Access programmes

**Purposes of the processing:** Biogen funds access programmes designed to provide access to investigative Biogen products to eligible patients that their HCP considers would benefit from the treatment. Biogen collects and uses personal data about HCPs to determine their patient's eligibility in a Biogen access programme, to create an online HCP account in order to facilitate orders for Biogen products if such access is granted, and to administer the access programme. The personal data we collect is optional.

**What personal data is processed:**

- name;
- hospital and department;
- contact details (including e-mail address, postal address and telephone number); and
- other information relevant to the patient's eligibility to enrol in the Biogen funded access programme (such as the HCP's professional opinion on whether the patient meets the inclusion criteria, the anticipated need of the patient to gain access to the Biogen product and the potential benefits to the patient if access was granted, etc.)

**How we obtain the personal data:** Directly from the HCP.

**Legal basis for processing:** The legitimate interests of Biogen as a responsible pharmaceutical company funding such programmes designed to provide early access to Biogen products (that are not yet approved for commercial use by the health authority responsible for approving medicines in the HCP's country), outside of a clinical programme and commercial setting. In some cases, Biogen may collect and use the HCP's data to comply with Biogen's legal and regulatory obligations. The personal data collected based on this legal basis is mandatory.

**Retention period:** For no longer than 25 years from the end of the life of the concerned Biogen product.



#### **(q) Targeted advertising**

**Purposes of the processing:** Biogen occasionally places advertisements on social media websites, such as LinkedIn, and provides the social media site with HCP personal data in order to check if Biogen's HCPs are members of the site, so that the site owner can match its own data about an HCP to provide advertisements about our goods and services that may be of interest to HCPs. This allows us to send HCPs content, scientific information or initiatives that are more tailored to an HCP's interests through the social media site. The personal data we collect is mandatory.

#### **What personal data is processed:**

- name;
- contact details (address, e-mail address, phone number or fax number); and
- professional information (such as practice/specialism and HCP identification number).

**How we obtain the personal data:** Directly from the HCP through interactions with Biogen and from publicly available sources such as HCP databases.

**Legal basis for processing:** Biogen's legitimate interests to provide HCPs with relevant content and improve our relationship with HCPs.

**Retention period:** For no longer than 5 years from the date of collection.

#### **How we share personal data with others and international transfers**

Biogen may, from time-to-time also need to make the personal data of HCPs available to third parties. Such parties include:

#### **(a) Affiliates**

We may disclose personal data to our affiliated companies for the purposes described in this Privacy Notice. A full list of Biogen affiliates can be found at [www.biogen.com](http://www.biogen.com) under "Contact Us". If an affiliate is located in a country deemed to provide an adequate level of data protection under its data protection laws by the Saudi Data & Artificial Intelligence Authority, we rely on that adequacy decision for the transfer. For all other non-adequate countries, Biogen will enter into Standard Contractual Clauses in place to provide an adequate level of data protection, where applicable.

#### **(b) Service providers and business partners**

Biogen may use service providers to provide services to us which may require disclosure of HCP personal data to such third parties. These include service providers which:

- provide or host IT, technology or data storage systems or solutions;
- provide clinical trials and studies support;
- provide marketing or market research services;
- support the creation and dissemination of disease education and product campaigns and materials, corporate communication and public relations activities;
- provide consulting services, such as advisory boards and faculty;
- assist in the management of third party queries, such as complaints, medical information and safety reporting; and
- support in the organisation of congresses, events and meetings.



Biogen may also disclose HCP personal data to business partners such as:

- external scientists and healthcare professionals to review and assist us with healthcare compliance activities;
- institutions and other organisations with whom we collaborate to support our clinical or commercial activities (such as for clinical studies and patient support programmes);
- other companies with which we collaborate regarding joint development, distribution and/or marketing of particular products or services; and
- parties providing advisory services, monitoring and relevant corrective/preventive actions, such as consultants, auditors, accountants, advisers, legal counsels and similar agents.

Service providers and business partners will only be permitted to process HCP personal data for purposes that are consistent with this Privacy Notice and will be required to protect the personal data in accordance with all applicable data protection laws. If the party is located in a country deemed to provide an adequate level of data protection under its data protection laws by the Saudi Data & Artificial Intelligence Authority, we rely on that adequacy decision for the transfer. For all other non-adequate countries, Biogen has Standard Contractual Clauses in place to provide an adequate level of data protection, where applicable.

#### **(c) Regulatory and governmental bodies**

In certain circumstances, we may be required to provide HCP personal data requested by regulatory and health authorities including governmental bodies, data protection authorities, tax authorities, or courts in case of disputes. Where permitted and feasible, and to protect your right to privacy, Biogen will take reasonable steps to remove or anonymise information that may directly or indirectly identify you and restrict to the minimum the amount of personal data we submit or transfers to such parties. We will also take appropriate measures to ensure that the requester understands the sensitive nature of the personal data that they may receive.

We reserve the right to alert and cooperate with law enforcement authorities in investigating and prosecuting users who violate our rules or engage in behaviour that is illegal or harmful to individuals or the personal data for which we are responsible.

#### **(d) Corporate transactions**

We may disclose HCP personal data to a third party, or their advisers, in connection with a corporate reorganisation, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock, including in connection with any bankruptcy or similar proceedings. If these third parties are located in countries deemed to provide an adequate level of data protection under their data protection laws by the Saudi Data & Artificial Intelligence Authority, we rely on that adequacy decision for the transfer. For all other non-adequate countries, Biogen puts Standard Contractual Clauses in place to provide an adequate level of data protection, where applicable.

The above transfers will include transfers outside the HCP's country to countries which do not implement an adequate level of protection for personal data under the HCP's national data protection law. In such cases, Biogen always takes appropriate steps to ensure HCP data is adequately protected if transferred to such countries, including those set out above.

#### **Data protection rights**

An HCP may contact Biogen at any time if they would like to access to their personal data or require information about the personal data that we hold about them (such as the source of the personal data). An HCP request restriction of the processing of it, and may also request the correction or erasure of it.



Where Biogen processes HCP personal data on the basis of the HCP's consent, the HCP may withdraw their consent at any time without any prejudice by contacting us using the contact details below or, in the case of an e-mail, by clicking the unsubscribe function within the e-mail. This does not affect the lawfulness of the processing before the withdrawal of consent.

Please note that some of these rights are limited by applicable data protection law and we have the right to collect, process and hold HCP personal data to perform our legal obligations (for example: data regarding an adverse event). We may require an HCP to provide additional information necessary to confirm their identity before we comply with any request made.

### **Contact information**

Under data protection laws, a "controller" is the legal entity that is responsible for protecting your personal data and helping you to exercise your data protection rights. Biogen is the controller of HCP personal data in relation to this Privacy Notice. If you are an HCP and you have questions or concerns about this Privacy Notice or the processing of your personal data or would like to exercise your rights as outlined above, you can contact Biogen's Data Protection Officer by e-mailing: [privacy@biogen.com](mailto:privacy@biogen.com). You may, should you feel it necessary, lodge a complaint with your local data protection authority if you feel your privacy rights have been infringed.