

### **PLEASE READ THIS PRIVACY POLICY CAREFULLY**

Medtronic Australasia Pty Ltd and Medtronic New Zealand Ltd

#### **1. Commitment to Privacy**

Medtronic Australasia Pty Ltd and Medtronic New Zealand Limited (hereinafter referred to "we", "us", "our" and "Medtronic"), are bound by the Australian Privacy Principles ("APPs"), contained in the Privacy Act 1988 (Cth) and the New Zealand Information Privacy Principles ("IPPs") contained in the Privacy Act 1993 ("ANZ Privacy Laws"). We may also be bound by State and Territory privacy laws in Australia, and to the extent we are bound by those laws, they form part of the ANZ Privacy Laws. The object of the ANZ Privacy Laws is to protect the confidentiality of "personal information" and the privacy of individuals by regulating the way in which personal information is managed.

Broadly, "personal information" means information or an opinion about an identified individual or from which an individual can be reasonably identified ("Personal Information").

Personal Information can include "health information", which refers to information regarding an individual's physical or mental health or a health service provided to an individual or "sensitive information", which includes information or an opinion about an individual's health, racial or ethnic origin, political opinions, philosophical criminal record and sexual orientation, amongst other things ("Sensitive Personal Information").

Medtronic is committed to protecting the Personal Information it collects and regularly monitors its systems and procedures to ensure compliance with the APPs, IPPs and this Policy. This Policy outlines the way in which Medtronic deals with the Personal Information it collects in Australia and New Zealand only. You should review the privacy statement posted on other Medtronic regional websites should you visit them.

We are not responsible for the privacy practices of any third party websites that may be linked on our website.

#### **2. Collection**

Medtronic collects Personal Information that is reasonably necessary for or directly related to our functions and activities as a provider of medical devices. In some cases, we are required by the Therapeutic Goods Act 1989 (Cth) to collect Personal Information in order to comply with our regulatory obligations such as responding to safety concerns about our products.

Medtronic collects Personal Information from or about you when we ask you for it and you provide it, and also through technology that collects the information automatically, such as cookies or other similar technologies.

The Personal Information we collect may include:

- Your name
- Your address
- Your date of birth
- Your email address
- Your phone number
- Website, app and service use information

If you are a healthcare professional, additional Personal Information we may collect includes:

- Your medical specialty
- Your clinical interests

If you are a patient, additional Personal Information we may collect includes:

- Details of your healthcare professional
- Your implantation details and history
- Product data, such as model, serial number and usage of your device
- Product performance, service and reliability data
- Therapy related data which you provide to Medtronic or authorize Medtronic to collect from your device
- If there are any specific products you may want to learn about
- Credit related information

Personal Information may be collected by Medtronic in the course of:

- Providing technical assistance about our products to a patient or healthcare professional
- Responding to product or service queries
- Sales calls or follow-up meetings with our sales representatives
- Participation in Medtronic sponsored programs, including educational programs and research grants
- Using our websites, apps or our customer, product information or other services, including through use of cookies

### **3. Use and Disclosure**

Medtronic will use your Personal Information for the primary purpose for which it is collected, which generally includes the following purposes:

- During the sale, distribution or provision of medical devices, apps or services that have been requested by you or health care providers
- While supporting you and your healthcare professional or other care partners in your ongoing care, if you are a patient
- Administering training programs, clinical trials or other similar programs in which you agree to be involved
- Compliance with regulatory requirements, such as maintaining a record of medical queries, complaints, adverse events and recalls relating to our products

We may also use your Personal Information to:

- Provide you with updated product or safety information with respect to Medtronic medical devices, apps and services
- Send you material on our activities and products or developments in medical technology that Medtronic believes may be of interest to you (although if you are a patient we will not do so without your consent)
- Respond to your requests for information, product, services including managing your online accounts and providing warranty service where this applies to products
- Provide you with general health information, where this is permissible, such as information about certain health conditions, as well as information about our products and services
- Resolve or track the status of all problems with consumers and / or products or services
- Manage, plan and arrange meetings between you and Medtronic representatives
- Generate customer lists for the purposes of market research
- Manage accounts and ensure that we receive payment for our products
- Verify your age or identity as needed for us to provide our products and services safely and lawfully
- Improve our products, services and overall therapy management
- De-identify your information by removing all personal identifiers (your name, e-mail address etc.) so that the information is no longer Personal Information and can be used for other purposes
- Protect someone's health safety or welfare
- Comply with a law or regulation, court order or other legal requirement
- Undertake other activities for which you have consented we can use or disclose your personal information

We will only use or disclose your personal information for a purpose that was not the primary purpose for which we collected it, if we are required, authorised or permitted by law or a court / tribunal order to do so.

We may disclose Personal Information:

- To our related companies and affiliates
- To third party service providers so that they may perform services for us or on our behalf
- If you are a patient, to care partners who you nominate to receive information and notifications about you and your care from Medtronic
- Where we are authorised or required by law to do so or are permitted to disclose the information under the ANZ Privacy Laws
- If you have expressly consented to the disclosure or consent may be reasonably inferred from the circumstances

If you do not wish to receive information or materials about Medtronic products and updates, you may request not to receive these marketing materials. Once Medtronic receives your request, we will add your name to a no contact list for marketing purposes.

Sometimes we may collect Sensitive Personal Information if you disclose it to us, or as part of providing services to you. When dealing with Sensitive Personal Information, such as your health information, for a purpose that is not directly linked to the primary purpose of collection, Medtronic will generally seek your consent before using Sensitive Personal Information. In only very limited circumstances, such as where we are required by law to disclose information or in the event of a serious threat to your life or health, will we use or disclose your health information for other secondary purposes to the extent necessary in the circumstances without your consent.

#### **4. Cross Border Data Transfer**

As part of a global group of companies located in many different countries, we may disclose your Personal Information to a Medtronic company or affiliate, or to our database or servers overseas which may be provided to us by our third party service providers. The countries to which we are likely to disclose Personal Information include the United States, Singapore, Switzerland and the Netherlands. In disclosing Personal Information offshore, Medtronic ensures that the use and disclosure of the personal information transferred is dealt with in accordance with this policy and the requirements of ANZ Privacy Laws.

By providing Medtronic with your Personal Information, you consent to the transfer, storing, and processing of your personal information in other countries.

#### **5. Transfer of Data to Third Parties**

Medtronic will not sell your Personal Information to any third party for any purpose. Selected third parties may be used to provide Medtronic with support services in connection with our business operations; for example, database IT support or SMS notifications. Such third parties may, from time to time, have access to your personal information to enable them to provide those services to Medtronic.

All companies providing such support services are required by Medtronic to process the Personal Information disclosed to them only for the purposes expressly authorised by Medtronic. Further, third parties are required by Medtronic to meet our standards of data protection and the requirements of ANZ Privacy Laws.

## **6. Data Security**

Medtronic has put in place safeguards to protect the Personal Information we hold from misuse, loss, unauthorised access, modification or disclosure. Medtronic generally holds the Personal Information you provide to us in an electronic form on computer servers, which are password protected for limited access and are located in controlled facilities. However, Medtronic may also hold Personal Information in physical form, such as in paper hard copies. While Medtronic cannot guarantee against any loss, misuse or alteration to data, we take security safeguards as are reasonable in the circumstances to prevent such occurrences.

Access to the Personal Information is restricted to those employees and service providers who need to use the data, who have been trained to handle such data properly and observe strict standards of confidentiality.

Medtronic destroys or permanently de-identifies Personal Information that we no longer need, where permitted. Medtronic will not keep Personal Information for longer than required for the purposes for which the information may be lawfully used or disclosed.

## **7. Access, Correction and Complaints**

You have the right, in most cases, to access your Personal Information at any time. Medtronic takes reasonable steps to ensure that any information we hold about you is up-to-date, accurate, relevant, not misleading and complete. If you wish to request access or correct Personal Information we hold about you, or you have any questions about this Policy, please contact Medtronic's Privacy Officer at [privacy@medtronic.com](mailto:privacy@medtronic.com), setting out a full description of the request. We will respond to your requests to access or correct your Personal Information in a reasonable timeframe.

There is no charge for requesting access to your Personal Information but we may require you to meet our reasonable costs in providing you with access (such as photocopying costs).

There are some circumstances in which we are not required to give you access to your Personal Information. Medtronic may not accommodate a request to access, change or delete Personal Information if it believes doing so would violate any law or legal requirement, or cause the information to be incorrect. In those circumstances, if requested by you, Medtronic shall take such steps as are reasonable, to attach a statement provided by you to the information of the corrections sought.

If you have a complaint about how we have handled your Personal Information or consider that we may have breached our obligations under ANZ Privacy Laws, please write to our Privacy Officer at [privacy@medtronic.com](mailto:privacy@medtronic.com) or at:

Medtronic Australasia Pty Ltd Attention: Privacy Officer

2 Alma Road

Macquarie Park NSW 2113

We will respond to your complaint within a reasonable period, usually within 30 days. If you are unhappy with the resolution of your complaint, if you located in or reside in Australia, you may contact the Office of the Australian Information Commissioner ([www.oaic.gov.au](http://www.oaic.gov.au)) or if you are located in or reside in New Zealand you may contact the Office of the Privacy Commissioner (<https://www.privacy.org.nz/>) for further guidance.

## **8. Updating our Privacy Policy**

Medtronic may review or revise this Privacy Policy and the way we handle Personal Information from time to time. Such changes will be consistent with current privacy legislation in Australia and New Zealand. You may request a copy of our Privacy Policy at any time.