

PRIVACY POLICY 12 OCTOBER 2018

1. About this policy

Clinical Genomics Technologies Holdings Limited (ACN 629 507 848) (the Company) and its subsidiaries Enterix (Australia) Pty Limited (ACN 093 240 512), Enterix Pty Ltd (ACN 079 851 308), Clinical Genomics Pty Ltd (ACN 119 063 222) and Clinical Genomics Technologies Pty Ltd (ACN 120 974 692) (the CG Group also referred to as **CG** 'we', 'us' or 'our') is committed to protecting the privacy of your personal information in accordance with Australian privacy laws.

When you interact with us, for example, when you use our services, call us or visit our website (or related social network site or application) or become a shareholder of the Company, you consent to the collection, use and disclosure of your personal information in accordance with this Privacy Policy.

Our Privacy Policy sets out how we and our related entities collect, use, disclose and manage your personal information.

Our Privacy Policy complies with the Australian Privacy Principles set out in the *Privacy Act 1988* (Cth) as amended from time to time (**Privacy Act**). All personal information collected and held by us will be governed by the most recently updated Privacy Policy.

2. Types of personal information we collect and hold

Your personal information may be collected through our interactions with you or from a person acting or authorised to act on your behalf. Examples include personal information provided by you;

- a) **As a patient** on information forms including emails, telephone conversations or face-to-face consultations and meetings. The types of information we collect and hold in relation to patient data include:
 - identifiable information such as your name, address, date of birth, telephone numbers and e-mail address;
 - health information you provide to us or that is obtained, including pathology test results, while providing our services to you;
 - personal information you provide to us when you participate in a promotional activity, survey, market research, activate the renewal system;
 - de-identified demographic information, which is not unique to you, such as your postcode, age and gender; and
 - if you visit our website, your website usage information such as your IP address.

b) **As a shareholder** personal details on the share registry including identifiable information such as your name, address, date of birth, telephone numbers and e-mail address. Uses of your personal information may include being provided to Company's agents and service providers on the basis that they deal with such information in accordance with the Company's Privacy Policy and applicable laws.

Your information contained in the Shareholder register must remain there even if you cease to be a Shareholder.

3. How we may use and disclose your personal information

We may use and disclose your personal information for the primary purpose for which it was collected, or for related purposes, or as permitted or required by law or regulatory reasons including the following purposes:

- providing pathology testing services and pathology results to you and your nominated doctor;
- delivering the products and services you have requested;
- manage, train and develop our employees;
- communicating with you;
- if a shareholder, information contained in the Shareholder register may be used to facilitate dividend payments and corporate communications (including the Company's financial results and annual reports and other information that the Company may wish to communicate to its Shareholders) and compliance by the Company with legal and regulatory requirements;
- administering and responding to your enquiry or feedback about our products and/or services, responding to your complaints, and reporting to dispute resolution bodies;
- meeting our legal and regulatory obligations;
- conducting, improving and developing a relationship with you;
- direct marketing (such as providing you with information about our products and promotional notices and offers) if you have expressly or impliedly consented to receiving marketing and promotional material from us; and
perform statistical analysis, send you email or postal mail, provide customer support, or arrange for deliveries.

We may disclose personal information we collect from you to:

- our affiliates and partner organisations for the primary purposes for which it was collected;
- our external service providers and professional consultants;
- regulatory bodies and ethics committees (which may include clinical studies or evaluation process); and
- Federal, State, Territory medical, health and safety authorities (as required);

We may also disclose your personal information if it is required or authorised by law, where disclosure is necessary to prevent a threat to life, health or safety, or where we are otherwise permitted by the Privacy Act.

We do not sell or license your personal information to third parties.

We may, from time to time, contact you on behalf of external business partners about a offering that may be of interest to you. In those cases, your unique personally identifiable information (e-mail, name, address, telephone number) is not transferred to the third party.

4. How your personal information is stored and secured

We take all reasonable steps to protect your personal information from loss, misuse or unauthorised access by restricting access to the information in electronic format and by appropriate physical and communications security.

- We hold and store personal information using: **(Storage Services)** third party data storage services that professionally manage information technology infrastructure and in the case of a shareholder, share registry services
- **(Business Devices)** devices operated by our employees; and

- **(Paper Files)** printed paper files.

We secure personal information that we collect by:

- **(Credentials)** using authentication credentials for each portion of the data storage infrastructure that we control in accordance with best practice;
- **(Passwords)** using specialised software to generate passwords that are less vulnerable to “brute force” attacks;
- **(Encryption)** using specialised encryption software to store the passwords that we generate; and
- **(Reputable Vendors)** ensuring that the third party providers holding data and information on our behalf are reputable vendors taking reasonable steps to secure the information.

To provide our services, we need to share information over the internet. Information will be encrypted and the providers we use have protections in place, but security is not guaranteed due to the nature of the internet.

To meet the requirements of the Privacy Act in relation to notifying affected individuals of a data breach should one occur, we have adopted and will follow a Data Breach Notification Plan (**DBNP**).

We only keep your personal information for as long as it is required for the purpose for which it was collected or as otherwise required by law or the relevant regulatory bodies. When we no longer need your personal information for any purpose, we may destroy or de-identify it as long as it is lawful for us to do so.

5. Using our Website and Cookies

We secure your personal information from unauthorised access, use or disclosure. CG secures the personally identifiable information you provide on computer servers in a controlled, secure environment, protected from unauthorised access, use or disclosure. When personal information (such as a credit card number) is transmitted to other websites, it is protected through the use of encryption, such as the TLS (Transport Layer Security) protocol.

There is also information about your computer hardware and software that is automatically collected by us. This information can include: your IP address, browser type, domain names, access times and referring Web site addresses. This information is used by CG for the operation of the service, to maintain quality of the service, and to provide general statistics regarding use of the CG website.

We also use “cookies” on our website. A cookie is a small file that stays on your computer until, depending on whether it is a sessional or persistent cookie, you turn your computer off or it expires. Cookies may collect and store your personal information.

We may use cookies for a number of reasons, such as to monitor usage, enable user registration, facilitate customer and user enquiries or create a personal record of your visits to our website. You may adjust your internet browser to disable cookies. If cookies are disabled you may still use our website, but the website may be limited in the use of some of the features.

Our website may also contain links to or from other websites. We are not responsible for the privacy practices of other websites. This privacy policy applies only to the information we collect on our website. CG encourages you to review the privacy statements of websites you choose to link to from CG so that you can understand how those websites collect, use and share your information. CG is not responsible for the privacy statements or other content on websites outside of the CG and CG family of websites.

6. Marketing and Opting-Out

We may use your personal information for:

- promoting and marketing of our products and services which includes sending you renewal letters, kits or reminder notifications;
- informing you of upcoming events and special promotions, offers; and
- improving and developing new products and services.

We will only offer you products or services, where we reasonably believe that they could be of interest or benefit to you. We may contact you via mail, SMS, email, telephone or online about products and services you might be interested in. We will engage in marketing unless you tell us otherwise.

You will generally be given the opportunity to “opt out” from receiving marketing communications from us. You may “opt out” from receiving these communications by clicking on an unsubscribe link at the end of an email or by contacting us with this request.

7. Do we transfer personal information overseas

- **(Patient related personal information)** We do not directly send patient related personal information outside Australia, but some of the service providers that we use to provide our services may store or process data including personal information, outside Australia.

Therefore, your personal information may also be processed by, or disclosed to employees, representatives, or other third parties operating outside of Australia who work for, or are engaged by us in other countries, including New Zealand and USA.

We take all reasonable steps to ensure that these entities do not breach the requirements of the *Privacy Act 1988* (Cth).

- **(Shareholder related information)** members, agents and service providers of the Company may be located outside Australia, where your personal information may not receive the same level of protection as that afforded under Australian law. The types of agents and service providers that may be provided with your personal information and the circumstances in which your personal information may be shared are:
 - the Share Registry for ongoing administration of the Shareholder register;
 - printers and other companies for preparation and distribution of statements and for handling mail;
 - market research companies for analysing the Shareholder base and for product development and planning; and
 - legal and accounting firms, auditors, contractors, consultants and other advisors for administering, and advising on, the Shares and for associated actions.

8. Accessing your personal information

(Patient information) You may request access to patient related personal information we hold about you. We will need to verify your identity before giving you access. If your request is complex, we will ask you to put it in writing and will aim to deal with such a request within 14 to 30 days. A fee may be involved in certain circumstances.

We may not be able to tell you what personal information we hold about you in certain circumstances including where the information relates to anticipated legal proceedings or where the information would reveal commercially sensitive information.

To contact our Privacy Officer please refer to the contact details at the end of this Privacy Policy.

Except as authorised by the individual, or as required by law, or as otherwise provided in this Privacy Policy, we will not give out personal information to any third party.

(Shareholder information) A shareholder has a right to access information that the Company and the Share Registry hold about that person, subject to certain exemptions under law. A fee may be charged for access. Access requests must be made in writing or by telephone call to the Company's Privacy Officer refer to the contact details at the end of this Privacy Policy or to the Privacy Officer of Share Registry, at Link Market Services Limited, email: privacy.officer@linkgroup.com

9. Keeping information up to date

It is our intention that personal information we collect, and hold is accurate. If you believe that any information we hold about you is inaccurate, we will correct it if you let us know. To contact our Privacy Officer please refer to the contact details at the end of this Privacy Policy.

10. Anonymity when dealing with us

We may allow you the option not to identify yourself when dealing with us.

11. Security

We take reasonable steps to protect the personal information we hold from misuse, loss, unauthorised access, modification or disclosure. CG invests in the following forms of security:

- limiting physical access to our premises;
- limiting access to personal information to CG personnel on a need to know basis;
- educating and training our staff on their duty to protect your privacy in accordance to this policy;
- requiring our employees to observe obligations of confidentiality in the course of their employment with all staff signing confidentiality agreements;
- requiring suppliers, consultants and contractors to sign agreements with appropriate confidentiality provisions or confidentiality agreement and have acceptable security measures in place to keep personal information secure; and
- storing hard copies of data in secure filing areas.

12. Government identifiers

We do not use government identifiers (e.g. tax file numbers or Medicare numbers) to identify individuals.

13. EU Personal Data (European Union users)

We acknowledge that we may collect personal information attaching to citizens of, or persons in, the European Union (**EU**).

If you are a user of our products and services in the EU, our processing of your personal information must be in accordance with the General Data Protection Regulation (EU) 2016/679 (**GDPR**).

Under the GDPR, in addition to any other right you have under this Privacy Policy, you have a right to:

- request an explanation of the personal information that we have about you and how we use that personal information;
- receive a copy of the personal information that we have collected about you if the personal information was:
 - collected with your consent; or
 - required by us to provide the products and services on your request;
- request the deletion of your personal information that we hold under certain circumstances;
- object to our processing of your personal information, including for marketing purposes based on profiling and/or automated decision making; and
- request access to your personal information in a structured, commonly used and machine-readable format for the purposes of transferring it to another party.

Grounds for Processing

In accordance with the GDPR, we process personal information under the following legal grounds:

- the processing of personal information is necessary for the performance of our contract with you for the provision of our goods and services.
- the processing is necessary to comply with our legal obligations including disclosing personal information to relevant law enforcement agencies.
- the processing is necessary for our legitimate interests. This will include processing for the purpose outlined in this Privacy Policy, for direct marketing purposes and to enforce our contract with you.

You have consented to the processing. You may revoke your consent at any time but if you revoke your consent it may limit the products and services that we are able to provide or that you may have access to.

We do not use automatic decision making, such as profiling, to make decisions that may have a legal effect on you concerning your personal information.

Access and correction

If you would like to review, correct, update, suppress, restrict or delete any of your personal information held by us or if you would like to receive an electronic copy of your personal information to transmit to another company, please contact us using the contact details at the end of this Privacy Policy.

For your protection, we may need to verify your identity or conduct further verification checks or both before fulfilling your request but will endeavour to comply with your request as soon as reasonably practicable.

We may charge you a reasonable fee to cover the costs of processing your request if your request is unfounded or excessive.

Transfers of Personal Data

Due to the nature of the products and services provided by us, the transfer of personal information to different countries is essential. We will comply with applicable laws when transferring your personal information to entities in different countries but data standards may be different to those of your country of residence. By using the products and services provided by us, you understand and consent to the cross-border transfer of your personal information.

In certain circumstances, the courts and regulatory authorities in other countries may be entitled to access your personal information.

14. Complaints

If you have reason to believe that we have not complied with our obligations relating to your personal information under this Privacy Policy or under the Privacy Act, contact our Privacy Officer using the contact details at the end of this Privacy Policy..

We will ensure your complaint is handled in an appropriate and reasonable manner.

When we receive your complaint, we will:

- within 14 days of receipt, review the nature of the complaint and seek to verify your identity; and
- if we determine that the complaint is a *bona fide* complaint (and not automated, for example), we will:
 - respond to you acknowledging the complaint within 14 days;
 - consider the complaint on its merits;
 - seek legal or any other relevant advice if necessary;
 - if we have taken longer than 30 days since first receipt, notify you of our progress; and
 - provide you with a written notice of our decision regarding your complaint within 30-60 days of receipt of the complaint.

If you are not satisfied with the outcome, then you may contact the Office of the Australian Information Commissioner:

Office of the Australian Information Commissioner

Website: www.oaic.gov.au

Phone: 1300 363 992

If you are a user in the EU and you are not satisfied with the resolution of your complaint, and no other complaint resolution procedures are agreed or required by law, you can refer your complaint to the relevant supervisory authority for further investigation.

15. Feedback and contact for further information

CG will occasionally update this Privacy Policy to reflect company and customer feedback. CG encourages you to periodically review this Policy to be informed of how CG is protecting your information.

If you have a complaint or any questions regarding this Privacy Policy please to contact us using the details below::

Privacy Officer

Clinical Genomics
15-16, 2 Eden Park Drive
North Ryde NSW 2113

Phone: 02 9887 5300

Email: info@clinicalgenomics.com

Our Privacy Officer will consider your enquiries or complaints and respond to you in a reasonable timeframe.

Version control details
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