

## Privacy Statement for disclosures of transfers of value 2023 onwards- Ireland

This Privacy Statement applies where transfers of value are made for events held after 31 December 2022, and Services provided at least partly after 31 December 2022.

### Why we disclose information about financial and non-financial transfers to healthcare professionals

As a member of the Irish Pharmaceutical Healthcare Association (“**IPHA**”), Bayer is obliged to adhere to the Code of Practice for the Pharmaceutical Industry (“**IPHA Code**”), which requires us to publicly disclose certain details about “**Transfers of Value**” or “**ToV**” (payments, whether financial or in-kind, which are made, directly or indirectly, to any Ireland-based healthcare professional). Such disclosures can be made on an aggregate basis, however the IPHA, the industry and healthcare professionals alike want these disclosures to be made on an individual named basis to improve transparency and trust in the industry.

We would like to explain to you the purposes and related categories of personal data we process, as data controller, in connection with ToVs made to you. For the purposes of this privacy statement, personal data means any information relating to you as an identified or identifiable person (“**Personal Data**”).

#### 1. How we collect your data

We collect your Personal Data when the ToV is made by us to you and during the course of the activities you undertake with us in respect of the ToV.

#### 2. Purposes for which we handle your Personal Data

We process your Personal Data for the following purposes:

##### a. Central record of transfers of value

For the purpose of being able to comply with the IPHA Code, we maintain an internal central record of all ToVs made to healthcare professionals. We extract the following categories of Personal Data from our local and global booking systems or from third parties (for example, travel agents) which provide ToVs to you on our behalf, and store them in a central database which is operated by the Bayer Group parent company, Bayer AG:

- “**Master Personal Data**”: your name, address of primary practice, contact details and (if applicable) any kind of official unique personal identifier;
- “**Transfer of Value Data**” or “**ToV Data**”: The precise amount and purpose of any transfer of value which we or any other company of the Bayer Group provided to you. This includes, but is not limited to, the following Transfers of Value:
  - Invitation to scientific events, including conference/ registration fees as well as related travel and accommodation expenses;
  - Payment for contractual services, including speaker fees, participation in advisory boards as well as related travel and accommodation expenses; and
  - Research and development, especially relating to studies, clinical and non-clinical trials, including non-interventional studies.
- “**Additional Information**”: We collect further information which we use to determine when a ToV was made and in what amount (e.g. contracts, payment receipts etc.,).

**b. Analysis of your Personal Data**

We will observe the total amount of all ToVs provided in the course of any given reporting period. Furthermore, we will compare your Personal Data with publicly available similar data disclosed by other pharmaceutical companies. This covers in-depth analysis of individual disclosure rates, therapeutic area, total amount of value of ToVs, and type of ToV.

**c. Publication of your Personal Data**

We will provide the following information to the IPHA:

- Your Master Personal Data
- The ToV Data relating ToVs from us during the Relevant Period (defined below)

IPHA validates and collates it for publication on the ToV Central Report website. IPHA is the data controller for this activity. The above information shall also be included on our publicly accessible company websites, including the central website of the Bayer Group. As an exception to the above, ToVs relating to research and development will always be published in anonymous form (on an aggregate basis) without disclosing your identity.

Before we disclose your Personal Data to IPHA for each Reporting Period (as defined below), you will get the opportunity to check it. You will then have the chance to request necessary changes or to object to the publication (see Your Rights below). In the event that you do object and the reason for your objection outweighs Bayer's legitimate interest, information relating to ToVs you have received will be published in anonymous form (on an aggregate basis).

The relevant "**Reporting Period**" is the calendar year. Disclosures are made once a year, and no later than June 30<sup>th</sup> for the preceding calendar year.

**3. Legal justification**

The law requires us to inform you of the legal basis for collecting and processing your Personal Data where we are the data controller. For the processing activities described in this privacy statement, we rely on the following legitimate interests to process your Personal Data:

- a) Bayer has a legitimate interest in using information about the ToV that you received from us so that we can comply with our obligations under the Code, and Bayer AG's obligations under the European regulator's (EFPIA) transparency code.
- b) Furthermore, there is a legitimate public interest in better understanding the financial relationships that individuals may have with the pharmaceutical industry in the interests of transparency and trust in the pharmaceutical industry.
- c) IPHA also has a legitimate interest in receiving the data for publication, to help meet the overall objectives of the Code, including transparency.
- d) Bayer has a legitimate interest in the processing described in 2c above as it enables us to conduct our collaboration with you ethically and transparently.

Compliance with the Code and these further objectives cannot be met without processing Personal Data about you and the ToVs that you have received from us. We have carried out a Legitimate Interest Assessment and consider that this processing is necessary, proportionate and without unjustified harm to you.

#### 4. How we Share Your Data

We may share your Personal Data relating to ToVs with the parties set out below:

- IPHA for the purpose of complying with the Code. IPHA will validate and publish your Personal Data on the ToV Central Report website.
- We will sometimes use specialised service contractors who act as our data processors. Such service contractors are carefully selected and regularly monitored by us. They will only process Personal Data in accordance with our instructions and on the basis of an appropriate data processing agreement.

#### 5. Third Countries

Your Personal Data may be transferred to a country for which the EU has not decided that it ensures an adequate level of protection. In these situations, we ensure that the recipient in that country agrees to standard data protection clauses adopted by the EU as appropriate safeguards. You can obtain a copy of them by contacting our Data privacy Officer using the contact details set out below.

#### 6. Data Retention

The IPHA Code requires that information which is disclosed must remain in the public domain for a minimum of three years from the date of disclosure. Once this period has elapsed, we will remove your Personal Data from our publicly accessible websites.

Irrespective of the above, the IPHA Code requires us to document all disclosures and to retain such records for at least five years after the date of the calendar year to which they relate.

Please note that your Personal Data might still be stored at the place where it was originally sourced, subject to legal archiving duties and/or the data retention and deletion rules applicable to the original processing purposes (e.g. performance of a contract with you).

#### 7. Your rights

You have the right to request from us information about your Personal Data, access to and rectification or erasure of Personal Data as well as the right to data portability. You also have the right to lodge a complaint with the data protection supervisory authority, the Data Protection Commission.

You have a right to object to the processing of your Personal Data where that processing is based on our legitimate interests, such as disclosure of ToV Data to IPHA. If you make an objection request, we shall seek to ensure a balance is struck between your rights and freedoms and our legitimate interests. We will cease processing your data in this way unless we can demonstrate compelling and legitimate grounds for the processing.

To object:

- Email [hcpdisclosure@bayer.com](mailto:hcpdisclosure@bayer.com) explaining the reason why any data cannot be published.
- Each objection will be reviewed by Bayer and a decision will be taken.
- Bayer will inform you of the decision

## **8. How to Contact us**

For any questions you may have with respect to data privacy, or if you wish to exercise your rights, please contact: The Data Protection Officer, Bayer Limited, 1st Floor, The Grange Offices, The Grange, Brewery Road, Stillorgan, Co. Dublin, A94H2K7 or by email to [dataprotection-uk-ire@bayer.com](mailto:dataprotection-uk-ire@bayer.com). If you wish to object to the processing of your data, please email us at: [hcpdisclosure@bayer.com](mailto:hcpdisclosure@bayer.com).