



JOY SURGICAL Privacy Policy

Date: March 2019

Your privacy is important to us.

Who We Are

Joy Surgical Pty Ltd (ABN 17 605 144 303) (**JS, we** or **us**), takes such steps as are reasonable in the circumstances to protect and maintain your privacy. JS takes its obligations under the Privacy Act 1988 and the Australian Privacy Principles (**APPs**) seriously.

With whom we interact

To provide its products and services, JS interacts with many different individuals from many different organisations. Many of those interactions necessarily involve the collection of personal and sensitive information.

Consent

Our Privacy Policy explains how JS handles your personal and sensitive information and, in particular, details how we collect, use, disclose, store and enable you to access your personal and/or sensitive information. Our Privacy Policy applies to your personal and sensitive information regardless of the way in which we collect it, for example, whether it is collected via our website www.joysurgical.com (**Website**) or our app, Joy Surgical App (**App**) when you contact our Customer Service team, when you:

- submit a job application to JS;
- use one of our products or services; or

By providing us with your or your patient's personal and/or sensitive information or by visiting and using our Website or App, you confirm your acceptance of the terms of this Privacy Policy and consent to the handling of the information in the manner set out in this Privacy Policy and in accordance with any other explanation you may be given at the time of providing the information. If you do not agree with the terms of this Privacy Policy, please do not provide us with your information.

Please do not provide us with your patient's information unless you have their express written consent to do so. Information about patients will only ever be used to provide our products and services; it will never be disclosed to anybody unless absolutely necessary for the purposes of providing the product or service.

Personal Information and Sensitive Information

"Personal information" is any information about an identified individual or an individual who is reasonably identifiable, regardless of whether the information is true or not.

"Sensitive information" includes, for example, the following:

- health information about an individual;
- genetic and biometric information about an individual; and
- information or an opinion about an individual's racial or ethnic origin, membership of a professional association, trade association or trade union (which is also personal information).



What personal information and sensitive information do we collect

The type of information we collect from you will depend upon the type of interaction you have with us.

Broadly speaking, the types of personal and/or sensitive information that we collect may include:

- from our customers and suppliers - full names of key contacts, employer name, work contact details (including address, phone number, fax number and email address);
- in respect of patients - patient name, date of birth, gender, address, phone number, wound details (including descriptions, measurements and photographs) and other health-related information, private health insurance details; and
- from job applicants and employees - full name, contact details (including address, phone number and email address), driver's licence details, job title, passport details, employment history and education details, names and contact details of referees, next of kin details (in the event of an emergency).

We may collect personal and/or sensitive information from you in a variety of ways, including the following:

- when you request the supply and /or delivery of one of our medical products;
- when you request a quote for our products and/or services or wish to arrange private health insurer funding, for example, when an application for funding is submitted to us;
- during the clinical management process when using our products or services;
- when you:
 - arrange payment for use of our products and/or services;
 - visit our Website, App and any other webpage that we own and manage;
 - contact us by phone, email, post or via the Website;
 - when you register for and/or attend one of our Education Sessions;
 - subscribe to receive our newsletter or promotional materials or sign up to a mailing list; and/or
 - participate in surveys, such as our Customer Service Survey, or competitions or other promotional activities.

JS may also collect your personal information from third parties. This may include (but is not limited to) the collection of your personal and/or sensitive information from:

- your treating doctor(s), hospital or clinic;
- someone duly authorised to act on your behalf;
- your private health insurer;
- health records which may be provided to us by, for example, your hospital or treating doctor etc;
- recruiters we have retained and from referees you have provided in support of a job application.

From time to time, you may be able to visit our Website or deal with us anonymously or by pseudonym. However, please be aware that, if you do not provide us with certain information that we require, we may not be able to provide you with the products and/or services that you seek.



How do we use your personal and/or sensitive information?

The personal and sensitive information we collect may be used in a number of ways including:

- service delivery and order fulfilment, for example, providing our products to hospitals for use with patients and arranging for the pick-up and delivery of our products to hospitals;
- liaising with treating doctors, specialists, hospitals and nursing service providers in respect of the delivery of our products and services to patients and their ongoing treatment using our products and services;
- liaising with private health insurers in respect of the funding arrangements for patients' use of our products and services;
- generating bills, managing accounts and carrying out debt-recovery functions;
- providing customer and/or technical support and other customer relationship management functions (for example enabling the fitting, activation, maintenance and management of a patient's use of our products);
- dealing with enquiries or complaints;
- collecting and analysing product performance, service and reliability data;
- if you are a health care professional, providing JS Medical Education Sessions and other training in respect of the use of our products which may include marketing these products to you. You may be contacted by post or, when you have given us permission to do so, by telephone, email, text messaging or other established electronic methods;
- carrying out market research and product analysis and development;
- complying with our obligations under the law;
- training our staff;
- in the event of a change of business ownership, merger, sale or other business transaction, transferring your information to a successor entity;
- for various communications and marketing purposes and product and therapy enhancement;
- conducting our internal business and management processes, for example accounting or auditing purposes; and
- for any other purposes that would be reasonably expected.

How to opt-out of marketing materials?

From time to time, if you are a healthcare professional, we may use your personal information for the purposes of marketing our products and services or to inform you of new products, promotions or events, including training sessions that we believe you may be interested in. If you no longer wish to receive our marketing communications, you can opt out by:

- writing to us at the Contact Details below and informing us that you no longer wish to receive these marketing materials;
- in relation to any direct marketing email, clicking the "unsubscribe" link at the bottom of each email; or
- informing your usual JS Representative.

Please be aware that we may still need to send you essential information (rather than marketing information) from time to time.



Is personal and/or sensitive information disclosed to third parties?

JS may disclose personal and/or sensitive information to third parties in certain circumstances including (but not limited to) the following:

- in respect of the availability, use and delivery of our products and services - to treating doctors, specialists, hospital staff, third party nursing service providers and private health insurers;
- to other members of the JS Group of Companies (including those who may be located overseas);
- to other third parties who we engage to help us run our business - such as couriers and other delivery service providers to arrange the delivery / collection of our products; pay roll service providers; debt collection agencies and other parties that assist with debt-recovery functions;
- your duly authorised representatives (such as your guardian, care-giver, healthcare professional, hospital, health insurer or other health service provider);
- to our professional advisors, including lawyers, accountants, tax advisors and auditors; or
- law enforcement bodies, Courts of law or as otherwise required or authorised by law;
- regulatory or government bodies for the purposes of resolving complaints or disputes both internally and externally or to comply with any investigation by one of those bodies;
- if our business is sold, restructured or integrated with another group of companies, to the new owner, to be used in the same ways set out in this Privacy Policy;
- any other person or for any other purposes that would be reasonably expected.

We transfer your personal and sensitive information to overseas recipients for business operational, support and continuity purposes, for example, when we use IT service providers or data storage services which are located overseas. These overseas recipients may include members of the JS Group of Companies.

With your consent, we may also transfer personal and sensitive information (including, but not limited to, audio-visual materials such as video, audio or photographs) to overseas recipients for communications and marketing purposes, product and therapy enhancement or for any of the purposes listed above. Wound or procedure details, including photos, may be incorporated into marketing or clinical materials, which may be distributed to recipients anywhere in the world. These details are always deidentified, and always obtained with the prior consent of the patient involved.

Before JS does disclose any personal and/or sensitive information to a third party, we take reasonable steps to ensure the third party will protect your personal and sensitive information in accordance with Australian privacy laws and in a manner consistent with this Privacy Policy. Third parties are required to restrict their use of this information to the purpose for which it was provided.

Does the Website use "Cookies"?

Yes, our Website uses cookies.

Cookies are small text files that may be placed on your computer or other device by websites when you visit them. Cookies enable JS to recognise your device on a subsequent visit by that device to our Website and allows us to deliver a more personalised experience by providing information to us. Cookies are essential for some website functions and these functions will not work in the absence of those cookies.

You can use the browser privacy functions to clear the cookies already on your computer or to block cookies in the future by altering the browser privacy settings. However, please note this may cause some of the functionality of the Website to not work correctly.



If you continue to use our Website, you are agreeing to the use of cookies.

Third Party Websites

Our Website may contain links to third party websites. Please be aware that these third party websites are not subject to this Privacy Policy or our privacy standards and procedures, and we are not responsible for, nor do we endorse, the content or privacy of these sites. You will need to contact these third party sites directly to obtain their privacy policies.

How accurate is the personal information we hold about you?

We take reasonable steps to ensure that the personal information we collect, use and disclose is accurate, complete and up-to-date. However, the accuracy of the information we hold depends to a large extent on the information you provide. To ensure that we have your most current personal information, please contact us when your information changes

What security measures do we use to protect your personal information?

The security of your personal information is given a high priority. We take such steps as are reasonable to securely store your personal information so that it is protected from unauthorised use or access, misuse, loss, modification or unauthorised disclosure. This includes both physical and electronic security measures. Examples include the use of passwords, locked storage cabinets and secured storage rooms. Other features include:

- storing information on secured networks consistent with industry standards, which are only accessible by those employees who have special access rights to such systems;
- using industry-standard encryption technologies when transferring or receiving sensitive information;
- restrictions are placed on the electronic transfer of files; and
- our IT networks undergo necessary vulnerability testing to continually identify and remediate potential opportunities for unauthorised data access.

JS takes such steps as reasonable, in the circumstances, to destroy personal and sensitive information when the information is no longer required for any purpose for which it may be used or disclosed by JS and JS is no longer required by law to retain the information.

Can you access the personal and/or sensitive information we hold about you?

Yes, however there are some exceptions by law, which we will explain to you if relevant to your request. To request access to your information, send an email to privacy@joysurgical.com. To protect your privacy, we will take reasonable steps to verify your identity before providing you with access to your information. We may charge reasonable costs for responding to your request and will respond to your request within a reasonable time.

If we refuse to grant you access, we will provide you with a written notice setting out the reasons for our refusal and the mechanisms you may use to complain about our decision.

Can you seek correction of the personal information we hold about you?

If you think your personal information may be inaccurate, incomplete or out of date, you can request it to be updated or corrected by sending an email to privacy@joysurgical.com. We will respond to your request within 30 days and we will not charge a fee for responding to your request. JS may need to flag your records with a suitable explanation rather than changing or deleting the information. To protect your privacy, we will take reasonable steps to verify your identity before correcting or adding notes to our records. If we refuse to correct your information, we will provide you with a written notice setting out



the reasons for our refusal and the mechanisms you may use to complain about our decision.

How can you report a breach of your privacy?

If you have any concerns or complaints about a breach of your privacy or the way we have handled your personal information, please contact us by sending an email to privacy@joysurgical.com.

We will then investigate your complaint and endeavour to provide you with our response within a reasonable time after receiving your complaint. If, after receiving our response, you still consider your privacy complaint remains unresolved, you may then, for example, refer your concern to the Australian Privacy Commissioner.

Changes to our Privacy Policy

JS reviews its Privacy Policy from time to time and reserves its right to modify its Privacy Policy at any time without notice. We will publish any changes to our Privacy Policy on our Website. By continuing to use our products and services or our Website, or by continuing to provide us with your personal and/or sensitive information after the updated Privacy Policy has been published on our Website, you confirm your acceptance of these amendments.

Contact us

For any other questions regarding privacy, please send an email to privacy@joysurgical.com call on 1300 414 869.