



**Pierre Fabre**

## **GLOBAL PRIVACY POLICY**

### **PIERRE FABRE GROUP**

This Global Data Privacy Policy ("Global Privacy Policy" or the "Policy") represents the minimum standards that Pierre Fabre Group and its affiliates have set with respect to data privacy, for ensuring that we collect, use, retain and disclose Personal Data in a fair, transparent and secure way.

It aligns with the main requirements of applicable laws and regulations. This policy is also aligned with other specific policies of the Pierre Fabre Group relating to the collection and use of information or of Personal Data implemented by each entity of the Pierre Fabre Group to cover the specific Personal Data processing purposes needed for the day to day activity (e.g. cookies policy, specific local policies). This policy acknowledges that certain Pierre Fabre Group affiliates are located in countries with varying legal and cultural approaches to privacy and data protection. This Global Privacy Policy may thus be supplemented by other policies and procedures in certain geographic regions as may be appropriate to comply with applicable laws and meet cultural norms.

In the event of a conflict between this Global Privacy Policy and the local applicable privacy policies and / or applicable local law as relevant, or inapplicability of the provisions of this Global Privacy Policy, the local applicable policy and local law should prevail.

Some useful definitions are provided in section 2 of this Global Privacy Policy for your ease of reference.

#### **1. What is the scope of this Global Privacy Policy ?**

- 1.1 The Policy covers all Personal Data in any form, including but not limited to electronic data, paper documents and disks and all types of processing, whether manual or automated that is under Pierre Fabre Group's possession or control, in all geographies areas where Pierre Fabre Group operates. This will include information held about Pierre Fabre Group members, partners, employees, consultants, clients, suppliers, business contacts and any third parties.
- 1.2 We do care about minors protection and have implemented some reasonable measures to prevent the processing of minors. Therefore, we do not process Personal Data from children knowingly. If we are informed or become aware that we process minors Personal Data under the age allowed to provide Personal Data without a parental authorization, we will immediately delete it.
- 1.3 This Policy also applies to any Third Party who perform services for or on behalf of Pierre Fabre Group and who are expected to embrace standards of conduct consistent with the principles of this Global Privacy Policy.

## 2. Definitions

- 2.1 **Pierre Fabre Group** shall mean the holding company and the various Pierre Fabre affiliates which are part of the Pierre Fabre Group.
- 2.2 **Third Party** shall mean a third party or business Partner who receives from Pierre Fabre Group or who is otherwise entrusted with Personal Data on behalf of Pierre Fabre Group, for example suppliers, contractors, sub-contractors and other service providers.
- 2.3 **Data Subject** shall mean an identified or identifiable person whose Personal Data is being processed by Pierre Fabre Group.
- 2.4 **Informed Consent** shall mean any freely given specific and informed indication of the Data Subject's agreement to the processing of his/her Personal Data.
- 2.5 **Personal Data** shall mean any information capable of identifying a natural person, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his or her physical, physiological, mental, economic, cultural or social identity. Data is considered personal when it enables anyone to link information to a specific person, even if the person or entity holding that data cannot make that link.
- 2.6 **Sensitive Data** (or **Special Category of Data** which include data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation ) and **Personal Data relating to criminal convictions and offences** are a subset of Personal Data, which due to their nature have been classified by law or by an applicable policy as deserving additional privacy and security protections
- 2.7 **Process / Processing** shall mean any operation or set of operations that is performed upon Personal Data, whether or not by automatic means, including, but not limited to collection, recording, organization, storage, access, adaptation, alteration, retrieval, consultation, use, disclosure, dissemination, making available, alignment, combination, blocking, deleting, erasure, or destruction (and Process shall be interpreted accordingly).

## 3. How do we ensure the Lawfulness, Fairness and Transparency of our Personal Data processing ?

- 3.1 We will only use Personal Data:
- if necessary to perform a contract with the Data Subjects (e.g. our employees, contractors, clients, suppliers etc.); or
  - if required to comply with a legal obligation; or
  - where we have a legitimate business need or a legitimate business reason to use Personal Data as part of our business activities (e.g. when carrying out a processing to better know our clients) ; or

- where we have the Data Subject's Informed Consent when it is specifically required. For instance where required by law (e.g. to send marketing information through electronic communication means) or by applicable policy, Pierre Fabre Group may need to obtain the consent of Data Subjects in order to collect, use, retain and disclose their Personal Data. This may also be the case where no other valid grounds described above is applicable and to the extent permitted under applicable law.
- 3.2 We consider that it is important to assess the privacy risks before we collect, use, retain or disclose Personal Data, such as in a new system or as part of a project.
- 3.3 Pierre Fabre Group will only Process Personal Data in the way described in its specific privacy notices or privacy policies and in accordance with any Informed Consent we may have obtained from the Data Subject.
- 3.4 Pierre Fabre Group will not carry out profiling activities based on automated decision making, unless legally grounded on a requirement of applicable law or the performance of a contract or the Data Subject's consent and provided that suitable safeguards are implemented to protect the Data Subjects rights.
- 3.5 We use cookie technology on our websites to allow us to evaluate and improve the functionality of our websites. We can also use cookies for advertising or analytics purposes, subject to your consent and depending on your choice by using our cookie control tool, as the case maybe. For more information about how Pierre Fabre Group uses cookies, please read our online Privacy Policy and Cookie Policy.
- 3.6 Where legally required, we will ensure that Data Subjects are provided with a relevant information, concerning the processing of their Personal Data, unless there is an impossibility to provide such information or if it requires disproportionate efforts to provide such information. Such information will notably include, the purposes of the data processing, the types of data collected (if the data have not been obtained directly from the data subject), the categories of recipients, the list of rights which may be exercised by the Data Subjects, the consequences of a failure to reply, the conditions of the transfer of personal data outside EU, if any, and the mechanism used to protect the data in the event of a transfer, etc. This requirement may be satisfied by issuing a privacy notice to Data Subjects at the point where Personal Data are originally collected from them. Privacy notices shall be written in language which provides Data Subjects with a clear understanding as to how their Personal Data will be used.

**4. How do we process Personal Data for specific and legitimate purpose and verify that Personal Data is minimized and accurate ?**

**Personal Data will only be collected and processed for legitimate purposes, complying with the Personal Data Minimization principle and ensuring the accuracy of the Personal Data processed.**

- 4.1 Personal Data will be collected for specified, explicit and legitimate purposes (which could be multiple) and not further processed in a manner that is incompatible with those purposes.
- 4.2 We carefully evaluate and define the purposes of the Personal Data Processing before launching a project (e.g. management of HR data, management of recruitment data; payroll purpose, accounting and financial management, risk

management, management of employees' safety, allocation of IT tools and any other digital solutions or collaborative platforms, IT support management, health and safety management, information security management, client, consumers and prospects relationship management, patients and healthcare professionals relationship management, bids, sales and marketing management, supply management, internal and external communication and events management, compliance with anti-money laundering and anti-bribery obligations or any other legal requirements, data analytics operations, implementation of compliance processes such as whistleblowing system , management of mergers and acquisition, etc.).

- 4.3 We will ensure that the Personal Data we collect are relevant, adequate and not excessive in relation to the purpose of the Data Processing and its eventual use. This means that only necessary and relevant information for the purpose sought can be collected and processed.
- 4.4 We do not collect Sensitive Data or Personal Data relating to criminal convictions and offences, unless required by applicable law or when allowed by applicable law with the Data Subject's prior express consent.
- 4.5 Every reasonable step will be taken to ensure that Personal Data are maintained in an appropriately accurate and up-to-date form at every step of Personal Data Processing (i.e. collect, transfer, storage and retrieval) .
- 4.6 We encourage the Data Subjects to help us maintaining your Personal Data up to date by exercising your rights notably of access and rectification.

## 5. What Security and confidentiality measures are implemented ?

Since Employees, customers, consumers and business partners put their trust in Pierre Fabre Group when they provide us with their Personal Data, **Pierre Fabre Group ensures the security and confidentiality of the Personal Data it processes.**

- 5.1 We protect any Personal Data collected, used, retained and disclosed to support our business activities by following the relevant usage, technical and organizational policies, standards and processes.
- 5.2 Industry standard technical and organizational measures are implemented to prevent against accidental or unlawful destruction or loss, alteration, unauthorized disclosure or access, or any other unlawful or unauthorized forms of Processing.
- 5.3 Where processing is to be carried out on behalf of Pierre Fabre Group, Pierre Fabre Group will select service providers providing sufficient guarantees to implement appropriate technical and organizational measures in such a manner that processing will meet the requirements of applicable data protection laws and ensure the protection of the rights of the data subject.
- 5.4 Pierre Fabre Group endeavors to take reasonable measures based on Privacy by design and Privacy by default as appropriate to implement necessary safeguards when processing Personal Data Processing.
- 5.5 When a Personal Data Processing is likely to result in a high risk to the rights and

freedoms of Data Subjects, we will carry out a privacy impact assessment prior to its implementation.

- 5.6 No breach is too small for action. We will examine all claims related to any breach to this Global Privacy Policy or applicable data protection laws, potential or actual, that are brought to our attention or that we become aware of and will take all reasonable measures to limit their impact.
- 5.7 Further information on the IT security measures are described in Pierre Fabre Group Security Program which includes the Global IT Security Policy, IT Usage Policy and any other security measures available within the Pierre Fabre Group.

## 6. For how long do we keep your Personal Data ?

- 6.1 Any person handling Personal Data for Pierre Fabre Group will keep it only for as long as it is necessary for the purpose for which it has been collected and processed (and other compatible purposes) which may include:
- to meet or support a business activity; or
  - to comply with a legal or regulatory requirement and comply with applicable statute of limitation requirements;
  - to defend against legal or contractual actions (in which case, the Personal Data may be retained until the end of the corresponding statute of limitation or in accordance with any applicable litigation hold policies).
- 6.2 Personal Data is retained and destroyed in a manner consistent with applicable law and in accordance with Pierre Fabre Group applicable retention policy.

## 7. What are your rights, as Data Subject ?

**We are receptive to queries or requests made by Data Subjects in connection with their Personal Data and where required by law, we provide Data Subjects with the ability to access, correct, restrict and erase their Personal Data if applicable. We also allow them to oppose the processing of their personal data, and to exercise their right to portability, if applicable.**

- 7.1 **Access right:** We will provide access to all Personal Data related to a Data Subject as required by law, to the purposes of the processing, categories of data processed, categories of recipients, data retention term, rights to rectify, delete or restrict the data accessed if applicable, etc...
- 7.2 **Right to portability:** we may also provide a copy of any Personal Data that We hold in our records in a format compatible and structured to allow the exercise of right to data portability to the extent it is relevant under applicable law.
- 7.3 **Right to rectification:** Data Subjects can request to correct, amend, erase, any information which is incomplete, out of date or inaccurate.
- 7.4 **Right to erasure:** Data Subjects can request the deletion of their Personal Data (i) if such Personal Data is no longer necessary for the purpose of the data processing, (ii) the Data Subject has withdrawn his/her consent on the data processing based exclusively on such consent, (iii) the Data Subject objected to the data processing,

(iv) the Personal Data processing is unlawful, (v) the Personal Data must be erased to comply with a legal obligation applicable to Pierre Fabre Group. Pierre Fabre Group will take reasonable steps to inform the other entities of the Pierre Fabre Group of such erasure.

- 7.5 **Right to restriction:** (i) in the event the accuracy of the Personal Data is contested to allow Pierre Fabre Group to check such accuracy, (ii) if the Data Subject wishes to restrict the Personal Data rather than deleting it despite the fact that the processing is unlawful, (iii) if the Data Subject wishes Pierre Fabre Group to keep the Personal Data because he/she needs it for his/her defense in the context of legal claims (iv) if the Data Subject has objected to the processing but Pierre Fabre Group conducts verification to check whether it has legitimate grounds for such processing which may override the Data Subject's own rights.
- 7.6 **Right to withdraw his/her consent:** when the Personal Data processing is based on Data Subject's consent, Data Subject may withdraw such consent at any moment, without affecting the lawfulness of processing based on consent before its withdrawal.
- 7.7 **Right to object: Data Subject can also indicate his/her objection** to the processing of his/her Personal Data at any time:
- when used for marketing purpose or profiling to send targeted advertising, or
  - to object to the sharing of his/her Personal Data with third parties or within the Pierre Fabre Group, or
  - when the processing is based on Pierre Fabre 's Group legitimate interest, unless Pierre Fabre Group demonstrates compelling legitimate grounds for the processing which override the interests, rights and freedoms of the Data Subject or for the establishment, exercise or defense of legal claims.

To exercise these rights, please use the contact details below in Section 10 of this Global Privacy Policy.

Data Subject has also the right to lodge a complaint with the competent supervisory authority.

## 8. **When and how do we disclose your Personal Data to third parties ?**

- 8.1 Disclosure is made on a strictly limited 'need to know' basis where there is clear justification for transferring Personal Data - either because the Data Subject has consented to the transfer or because disclosure is required to perform a contract to which the Data Subject is a party, or for a legitimate purpose that does not infringe the Data Subject's fundamental rights, including the right to privacy (e.g. sharing in the context of a merger and acquisition operation etc.). In each case the Data Subject will be aware that the disclosure is likely to take place. Assurances will also be sought from the recipient that they will only use the Personal Data for legitimate / authorized purposes and keep it secure.

- 8.2 If a particular disclosure is required to meet a legal obligation (for example to a government agency or police force / security service) or in connection with legal proceedings, generally the Personal Data may be provided so long as the disclosure is limited to that which is legally required and, if permitted by law, the Data Subject has been made aware of the situation (i.e. the Data Subject was told of the possibility of such an event in an Informed Consent or is notified at the time of the request for disclosure).

## 9. How are international transfers of Personal Data from EU protected ?

**Personal Data originating from those Pierre Fabre Group entities operating within the EU will not be transferred outside the EU to a third country which does not ensure an adequate level of protection unless appropriate safeguards are implemented in accordance with applicable laws.**

- 9.1 International Personal Data transfer is a very sensitive topic, and taken seriously before transferring any Personal Data from its EEA country of origin to another non EEA country, whether such transfer is done for technical purposes (storage, hosting, technical support, maintenance etc.) or the main purposes (HR management, clients database management, etc.).
- 9.2 We never carry out international transfers of Personal Data from a EEA country to another non EEA country without ensuring that appropriate transfer mechanisms as required by applicable data protection laws are in place, to ensure adequate protection of the data when transferred (e.g. adequacy decision, privacy shield certification if the transfer is made to the US, signature of EU Commission model clauses as appropriate, etc.). In some cases, we may also have to notify or gain pre-approval from the relevant privacy regulator prior to the transfer taking place.

## 10. How do we handle complaints ?

- 10.1 Pierre Fabre Group is committed to resolving the legitimate privacy issues of its staff, clients and other contacts. If a member of staff feels that he/she has done something in breach of this Privacy Policy, they must contact the Data Protection Officer at [dpofr@pierre-fabre.com](mailto:dpofr@pierre-fabre.com) and report the matter.
- 10.2 Data Subjects are informed that they can complain about privacy issues by writing an email to [dpofr@pierre-fabre.com](mailto:dpofr@pierre-fabre.com), and that they may file a complaint with a supervisory authority. In particular, this shall be expressly specified in the privacy notices communicated to and/or accessible by Data Subjects.
- 10.3 If an individual covered by this Privacy Policy files a complaint about the processing of his/her or someone else's Personal Data, and the complaint is not satisfactorily resolved through this internal procedure, Pierre Fabre Group will co-operate with the appropriate data protection authorities and comply with the advice of such authorities to resolve any outstanding complaints. In the event that the Data Protection Officer or the data protection authorities determine that Pierre Fabre Group or one or more of its staff failed to comply with this Privacy Policy or the data protection laws, upon recommendation of the authorities or the Data Protection Officer, Pierre Fabre Group will take appropriate steps to address any adverse effects and to promote future compliance.

## **11. Update of this Global Privacy policy**

As our business and the regulatory environment change regularly, this Global Privacy Policy may also change. You are thus invited to consult it on a regular basis.

This Global Privacy Policy was deployed on August 1, 2018 and is effective as of this date.

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