

MSD Belgium BV/SRL

Information Notice on reuse of aggregated personal data

1. Purpose of this Information Notice

MSD Belgium partners with hospitals, healthcare organisations or governmental agencies (“Organisations”) to collect patients’ data which is, by such Organisations anonymized or, when such anonymization is not feasible, pseudonymized to the greatest extent possible.

This privacy notice is intended to inform such data subjects about MSD Belgium’s use of such aggregated datasets.

2. Data Controller Information

MSD Belgium assumes the role of data controller and is responsible for processing the pseudonymized/anonymized data provided to it by the Organisations. MSD Belgium is not involved in the processing activities conducted by such Organisations.

3. Personal Data Collected by MSD Belgium

MSD Belgium obtains pseudonymized/anonymized aggregated data from partner Organisations. The aggregated datasets comprise information such as:

- Age,
- Gender,
- Weight,
- Height.

Additionally, the aggregated datasets include specific health data, such as:

- Diagnosis,
- Medical circumstances,
- Existing diseases,
- Treatment information.

MSD Belgium does not have access to data directly enabling identification such as:

- Names,
- Addresses,
- Birth dates,
- National registration numbers,
- ID cards,
- Medical IDs.

MSD Belgium BV/SRL

4. Purposes and legal basis of Personal Data Processing

MSD Belgium processes the data within the aggregated datasets provided by partner Organisations for the following purposes:

- Handling of medical and governmental affairs purposes, based on our legitimate interest (Article 6(1)(f) GDPR). Our legitimate interest is to facilitate collaboration with healthcare professionals, healthcare institutions and government agencies for optimal patient care, population care and healthcare innovation.
- Production of files and reports related to the use of MSD products by Organisations, based on MSD Belgium's legal obligations (Article 6(1)(c) GDPR). These legal obligations are part of its managed entry agreements with the Belgian government in which the production of evidence related to MSD medicines is legally mandated.
- Creation of statistical results based on which market access management and related reimbursement decisions are taken with respect to MSD products, based on our legitimate interest (Article 6(1)(f) GDPR). Our legitimate interest is to create, plan, and implement strategies that will help achieve our wider business objectives to help achieve our mission of helping for better healthcare.

When processing special category data, such as health data, an exemption ground under Article 9 GDPR is required. MSD Belgium relies on the following exemption ground.

- Processing is necessary for statistical purposes (Article 9(2)(j) GDPR). The statistical purposes are focused on the above purposes.

5. Categories of Recipients of Personal Data

The data within the aggregated datasets provided to MSD Belgium by partner Organisations are accessible to the following categories of recipients.

- MSD Belgium employees or contractors who require access for the performance of their professional duties within MSD.
- Suppliers working on behalf of MSD Belgium. In such a case, MSD Belgium performs all the appropriate assessments and implements contractual measures before sharing the data.

6. Data Transfers

The aggregated datasets provided to MSD Belgium by partner Organisations are stored on MSD's secure servers within the company. These storage locations may involve transferring the data to third countries outside the European Union. In the event of such transfers, MSD ensures that appropriate safeguards are in place by adhering to binding corporate rules, in line with Article 46(2)(b) and Article 47 of the GDPR.

7. Data Retention

MSD Belgium will retain the aggregated datasets provided to MSD Belgium by Organisations for as long as necessary to address audit inquiries or government requests. For specific projects such as studies and

MSD Belgium BV/SRL

publications, the applicable record retention requirements will be followed as defined by national and European guidance.

Some specific retention schedules apply, for example,

- data related to Managed Entry Agreements: 2 years or longer if required by the government to address uncertainty questions,
- data related to non-interventional retrospective studies: 2 years after publication.

8. Security Measures

MSD has appropriate organizational and technical security measures in place to guarantee data safety.

9. Data Subject Rights

In the cases and to the extent provided for by law, you have the following rights under GDPR.

- Right to access: You have the right to request information about the personal data held about you.
- Right to rectification: You have the right to request the correction of inaccurate personal data held about you.
- Right to erasure: You have the right to request the deletion of your personal data when it is no longer necessary for the purposes for which it was collected.
- Right to restriction of processing: You have the right to request a restriction on the processing of your personal data.
- Right to data portability: You have the right to receive your personal data in a structured, commonly used, and machine-readable format.
- Right to object: You have the right to object to the processing of your personal data based on legitimate grounds.

MSD Belgium recognizes the importance of data subject rights under the GDPR and commits to addressing any of the above requests to the best of its ability. However, due to the nature of the data being pseudonymized/anonymized, MSD Belgium may face limitations in addressing specific data subject requests directly. Since MSD Belgium does not have directly identifiable information, it might be impossible to identify a data subject associated with the pseudonymized data.

10. Contact Information

Should you have a question about any of the above, feel free to contact us.

- Webpage: <https://www.msdprivacy.com/be/en/>
- Email: dataprivacy.be@msd.com
- Address: MSD Belgium BV/SRL, Privacy Office, Vorstlaan 25, 1170 Brussels
- Company number: 0406.820.770

MSD Belgium BV/SRL

11. Issues and Complaints

You have the right to lodge a complaint with the Belgian Data Protection Authority.

- Webpage: <https://www.dataprotectionauthority.be>
- Email: contact@apd-gba.be
- Phone: + 32 2 274 48 00
- Address: Rue de la Presse 35, 1000 Brussels