

# GENERAL PERSONAL DATA PROTECTION NOTICE

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## 1. Introduction

1.1. Your personal data rights are important to **Novugen**. That is why we have designed this Personal Data Protection Notice (“**Notice**”) in an easy and comprehensible manner to provide transparency on how we process your personal data in compliance with the Malaysia Personal Data Protection Act 2010 (“**PDPA**”).

1.2. In this Notice,

- ▶ “we”, “us”, or “our” refers to Novugen entity with which you had, have or will have a contractual relationship or that otherwise decides which of your data are collected and how they are used. If you are uncertain which Novugen entity is processing your personal data, please contact **Novugen Pharma Sdn Bhd** in [[Contact Us](#)].
- ▶ “personal data” and “processing” have same definition provided in the PDPA. To simplify, you can think:
  - “personal data” as any information in respect of commercial transaction which we are able, directly or indirectly, to personally identify you as an individual. For more examples of personal data, please refer to [[Types of Personal Data Collected](#)] below.
  - “processing” as any operations done on the personal data, such as collection, use, storage, retention, or disclosure.

Please read this Notice carefully because by continuing to interact with us as detailed in [[When does this Notice apply?](#)], you are:

- ▶ agreeing and consenting to us processing personal data in accordance with this Notice, and
- ▶ represent and warrant to us that;
  - personal data that you provided to us is accurate, up-to-date, and complete; and
  - in event you are disclosing personal data of another person to us, that you have provided a copy of this Notice to such other person, and you were authorized by such other person to disclose such personal data to us, and that such personal data is accurate, up-to-date, and complete.

**IMPORTANT! PLEASE DO NOT PROVIDE US WITH PERSONAL DATA AND DISCONTINUE USE OF THIS SITE IF YOU DISAGREE TO THIS NOTICE.**

- 1.3. **Additional Consent.** Please note that this Notice does not replace any other consents you may have previously or separately provided to us in respect of your personal data. Your consent to this Notice is in addition to any other rights which we may have at law to process your personal data.

## 2. When does this Notice apply?

- 2.1. **Applicability.** This Notice applies solely to personal data collected by us, and when you interact with us with the following manner:
- ▶ as prospective or actual consumers of our products or services
  - ▶ as healthcare professionals (“HCP”)
  - ▶ as users or visitors of our official website [www.novugen.com](http://www.novugen.com) (“Site”)
  - ▶ as users that subscribe to our newsletter or any other marketing communications
  - ▶ as any other individuals that contact us or request us for contact
  - ▶ as attendees or participants in our campaigns, events, or any other initiatives
  - ▶ as visitors or guests of our facilities

If you are not sure whether this Notice applies to you, please [\[Contact Us\]](#).

- 2.2. **Supplement Notice.** This Notice may be supplemented by supplementary notices for specific interactions, products, services, or jurisdiction. Please refer to our [\[Privacy Centre\]](#) for more information.
- 2.3. **Additional languages.** This Notice is further available in other languages. Please refer to our [\[Privacy Centre\]](#) for more information. In the event of any conflict, inconsistency or ambiguity between the English text of this Notice and other language translation thereof, the English text shall prevail.
- 2.4. **Third-Party links.** Our Site may contain links or reference to third-party websites for your convenience (e.g. LinkedIn, Twitter, Facebook, and Youtube). Please be aware, however, that we do not own or control such third-party websites or content, and we do not endorse or recommended such third-party websites, its content, products and/or services. Please keep in mind that this Notice does not apply to such third-party websites. You are highly recommended to be aware and read the privacy policies carefully of each third-party website you visit.

## 3. Types of Personal Data Collected

- 3.1. The extent of and the exact personal data that are processed vary from case to case depending on a range of factors and circumstances, such as our relationship with you (e.g. consumer, HCP, Site visitor, et cetera), the nature of the transaction and dealings with you, and how you interact with us (e.g. online or through offline methods such as in-person contact, phone, or mail).

Below is an overview of the categories and example personal data that we may process:

- i. **Identification data** such as name, title, gender, date of birth, national registration identity card or passport number, and driving license
- ii. **Contact data** such as correspondence address, delivery address, e-mail address, fax number and telephone number
- iii. **Contract or commercial data** such as products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies
- iv. **Financial data** such as payment card details and bank account

- v. **Professional or employment data** such as CV, job title, function, department, educational history, professional experiences, licences, specialties, qualifications, organizational or institutional affiliations, publications, credentials, and other professional achievements
- vi. **Audio-visual data** which you may be identified. This may be provided to us when you share image, sounds or videos to us. Also, if you visit our premises or facilities, you might be recorded by surveillance system or device (e.g. CCTV) that were placed for security purposes
- vii. **Site technical data** such as internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this Site
- viii. **Preference data** that you may have voluntarily share, such as communication preferences, feedback or opinions of our products or services, and interests in receiving marketing materials
- ix. **any other data that you voluntarily share**

Most of the personal data is collected on a voluntarily basis. We will indicate when it is obligatory to provide the personal data to us to enable us to process your data in relation to specific purpose. If you decline to provide such obligatory personal data, we may not be able to fulfil the intended purpose. For example, if you request us to contact you, but omit to provide information to contact you.

- 3.2. **Sensitive personal data.** We do not seek to collect or otherwise process sensitive personal data in the ordinary course of our business. Sensitive personal data under the PDPA, for example includes the following:
  - i. physical or mental health or condition
  - ii. political opinions
  - iii. religious beliefs or other beliefs of a similar nature,
  - iv. the commission or alleged commission offence

We only process your sensitive personal data when:

- v. it is upon your request, in which we rely on your prior explicit consent. For example, you may volunteer your physical or mental health or condition information when enquiring our products, or request us to investigate into your concerns, and
- vi. it is permitted or required by the law. For example, compliance with legal obligations, detection and prevention of crime (including the prevention of fraud), and health, safety, security and environmental compliance (e.g. if you meet with us in-person at our premises, your body temperature, health symptoms, vaccination status, and other related information in connection with public and workplace health and safety plans and protocols designed to prevent the transmission of COVID-19 or other infectious diseases)

## 4. How is the Personal Data Collected

- 4.1. **Directly from you.** We mostly collect personal data above directly from you which you have voluntarily share.
- 4.2. **Automatically from your electronic device.** When you visit the Site using electronic device, we may collect Site technical data sent by your electronic device automatically such as internet protocol (IP), domain name, internet service provider (ISP), data about date and time of your request and other information provided by other technologies, such as cookies, single-pixel tags, local share objects (Flash), local storage, Etags and scripts. For more details and of your rights, please see Cookies & Other Technologies Notice in our [\[Privacy Centre\]](#).

4.3. **Third-party sources.** Sometimes, we may receive information from other third-party sources. Overview of such third-party sources are:

- i. Third-party that you have authorized to act on your behalf, such as your caregiver or agent
- ii. Third-party that were authorized by law or court order to act on your behalf
- iii. Other third-party that you have consented to disclose your personal data, such as references, your doctor or otherwise HCP
- iv. Third-party plugins or applications that you have consented or voluntarily disclose your personal data, such as social media channels like LinkedIn, Facebook, Twitter and Youtube.
- v. Government sources such as regulatory authorities, court, and enforcement officials
- vi. Publicly available data sources, such as information on the Internet
- vii. Other third-parties service providers that support our legitimate business operations and needs, for example,
  - ▶ Advertising and marketing providers, such as ad technology providers that collect information via cookies, web beacons, and other related tracking technologies. For more details, please see Cookies & Other Technologies Notice in the [\[Privacy Centre\]](#).
  - ▶ Research and data providers
  - ▶ Security-related providers that assist with due diligence, compliance, and fraud prevention and detection such as credit or consumer reporting agencies
  - ▶ IT-related providers, such as website hosting and cloud provider, network security services who retain information on malware threats detected
  - ▶ Events-related providers, such as host, vendors, and organizers at events or trade shows

Such information may identify you (and as such be considered as personal data) but may also be in the form where it is aggregated and anonymized where it cannot identify you. Where it involves personal data, we take reasonable steps to ensure such third-parties were legally permitted to disclose such personal data to us.

4.4. Where permitted by the law, we may combine both the information you provide us and automatically collected information with other information collected from third-party sources.

## 5. Purposes of Processing Personal Data

5.1. The purpose of processing depends on your interaction and relationship with us. Your personal data may be processed for any of the following purposes:

- i. Serve you, including:
  - ▶ Respond to your queries, and address concerns, feedback, or complaints (if any) that you shared
  - ▶ Serve third-parties you requested us to serve
  - ▶ Connect and manage our relationship with you, such as connecting with you when you participate in our pages in third-party social media platforms, and keeping track of our past engagements and interactions

- ▶ To inform you of important updates, such as notifying you of important updates in terms, conditions and/or policies
- ▶ Invite you to participate in research, events and other activities that may be interest or be useful to you
- ▶ Where you have shared your preferences, to allow us to personalize and improve our interactions. This allows us to present our communications, products and services tailored to you per your interests, needs and preference.
- ▶ Fulfill other purposes that you consented, including serving you with newsletter or any other promotional or marketing materials which you have subscribed or consented to

If you are a HCP, the additional specific purposes may further apply to you:

- ▶ Visitation by our personnel or sales representatives
- ▶ Invite you to scientific or medical events, trainings and other activities that may be interest or be useful to you, both online and in-person, such as conferences, webinars and remote detailing
- ▶ Provide you with appropriate, adequate and updated information about scientific and health matters, as well as our products and services (by digital means or otherwise), which may be personalized to your professional area and interests where we have your consent or a legitimate interest
- ▶ Recruitment and evaluation of suitability for engagement or participation in events, clinical trials and other research studies, and advisory committee

ii. Perform contract, including:

- ▶ Perform tasks in preparation of a contract, such as getting relevant information and documentation to prepare the contract
- ▶ Fulfill obligations in the contract, such as managing products or services that you have ordered, or managing any events or seminars that you have registered to participate in
- ▶ Manage payments or reimbursements of any fees or charges

iii. Fulfill legitimate business interest, including:

- ▶ To manage and improve the Site, including:
  - To compile and evaluate the Site, including its content, for the purpose of developing and improving the quality, engagement, satisfaction, accessibility, convenience, efficacy, and security of the Site (including Site's contents and functions).
- ▶ To research, develop, manage, improve, and expand our products, services, and business activities, including:
  - Compile and evaluate data to understand usage trends, interests, usefulness, effectiveness, accessibility, consumer satisfaction, safety and quality pertaining to our products, services, and business activities
  - Conduct and manage research and development, such as market studies, consumer studies, and clinical studies and trials

- Invite you to provide feedback, surveys, or comments on our products, services, and events
- Manage and train our personnel
- ▶ To create and ensure safe and secure environment, and improve thereof, including:
  - To conduct verification on information provided, due diligence, conflict of interest checks, and/or risk assessments where we find it necessary. For example, we will conduct verification of requester's identity and authorization when there is a request for access to personal data
  - To conduct audits in order to verify that our internal processes function as intended and are compliant with legal, regulatory, or contractual requirements
  - To detect, investigate, and prevent fraud, spam, abuse, theft, security incidents, and other activities that are contrary to the law, our policies, or is otherwise malicious or harmful
  - To track and manage any reports pertaining to adverse events, product quality, safety and security of our facilities, products, services and business activities
- ▶ To carry and manage our business operations, including to manage merger, sale, acquisition, divestiture, restructuring, reorganizing, dissolution, bankruptcy or other change of ownership or control pertaining to us
- ▶ To establish, pursue, exercise and enforce our rights, and further defend ourselves in any legal claims or proceedings which we may be involved in
- iv. Fulfill legal obligations, including:
  - ▶ Complying with the law (which includes regulatory requirements, industry standards and court orders) that we are subjected to. For example, we will need to fulfil record-keeping and reporting obligations for compliance with anti-corruption laws, such as ensuring record-keeping and reporting obligations pertaining to HCP transfer of value
  - ▶ Respond legal requests, such as providing support in investigations by regulatory or enforcement authorities, comply with a subpoena, respond to any legal process
- v. Fulfill any other purposes permitted or required by the law, and are incidental to any of the purposes detailed in this Notice.

## 6. Disclosure & International Transfer of Personal Data

- 6.1. As a multinational company operating worldwide, your personal data may be disclosed, transferred, and processed for the purposes indicated in [\[Purposes of Personal Data\]](#) above to any of the following categories or classes of parties whether within or outside Malaysia:
- i. **our personnel and members within our group**, including our affiliates and subsidiaries.
  - ii. **our business partners** such as external scientists and HCP to review and assist us with healthcare activities (such as clinical studies, patient support programs, et cetera).
  - iii. **our external advisors** such as lawyers, accountants, company secretary, auditors, insurers and brokers.
  - iv. **our third-party providers**. Like many businesses, we may engage specialized providers that can help us serve you better, such as pharmacovigilance providers, data storage and

analytics providers, payment processors, shipping providers, customer service and support providers, technical support, et cetera.

- v. **relevant government regulators or authorities, statutory boards, law enforcement agencies, industry regulators** or any person to whom we are compelled or required to do so under law.
  - vi. **potential acquirers and other stakeholders** in the event of potential, proposed or actual business transfer, whether in whole or in part, sale of business, disposal, acquisition, merger, spin-off, joint venture, assignment, reorganisation of our business, assets or stock or similar transaction.
  - vii. **any other party to whom you authorize** us to disclose your personal data.
- 6.2. By interacting with us and/or providing personal data to us, you are consenting to any such transfer, disclosure, and further processing of your personal data outside Malaysia. We will, however, endeavour that reasonable steps are taken by the above categories of parties to protect and/or maintain confidentiality of your information that we may disclose to them.

## 7. Children's Personal Data

We do not knowingly collect or ask personal data from individuals who have yet to attain the age of majority ("minor").

When a minor's personal data is collected based on the consent of the holders of parental responsibility, we will only process said minor's personal data as permitted by the applicable law, explicitly consented to by the holders of parental responsibility, and/or required for protecting the minor.

Parents and guardians are encouraged to observe, participate in, and guide online activities of minors. If you believe your minor has provided such personal data to us, such as on this Site, we strongly recommend that you [\[Contact Us\]](#) immediately and we will do our best to promptly remove such information.

## 8. Your Choices & Rights

8.1. You have the following rights under the PDPA:

- i. **Right to access your personal data.** You can obtain information on the processing of your personal data and to receive a copy these data
- ii. **Rights to correct your personal data.** You can correct or complete your personal data to the extent it is inaccurate, incomplete, misleading or not up-to-date. You should keep us informed of any changes to your personal data.
- iii. **Rights to limit the processing of personal data, or withdraw your consent.**

There are some choices you can personally take to limit the processing of personal data or withdraw your consent, such as:

- **Site.** You can decide not to submit any personal data by not entering any forms or data fields in our Site, and not using any available personalized services.
- **Newsletter.** Newsletters are only emailed to you if you voluntarily register to subscribe. You can withdraw your consent by opting-out of newsletter anytime by clicking on the "unsubscribe" link in the newsletter email.

- **Other Marketing Materials.** Other marketing materials are only provided to you if you have voluntarily subscribed. You can withdraw your consent by opting-out at any time by contacting us using the details listed in [\[Contact Us\]](#). We will process your request as promptly as practical, however you may receive communications for a transitional period whilst we update your request.
- **Cookies & Other Technology.** You can decline future cookies and/or delete any existing cookies through your browser settings. Each browser is different, so you should check your browser's "Help" menu to learn how to change your cookie preferences. For more details, please see Cookies & Other Technologies Notice in the [\[Privacy Centre\]](#). Just note that you may not be able to access the complete functionality or experience designed for the Site if you decline or delete cookies.

[\[Contact Us\]](#) if you like to request to limit the processing, or withdraw your consent for other matters not mentioned above. The request process is per [\[Section 8.2\]](#) below.

## 8.2. We value the security and confidentiality of personal data.

Hence, for any request submitted, we will first verify the identity of the requester to ensure that the requester is either:

- legitimately the person about whom we collected the personal data, or
- authorized by the person about whom we collected the personal data

We verify every request carefully. You are encourage to ensure that request submitted has:

- sufficient details that allows us to reasonably verify you are the person about whom we collected personal data or an authorized representative, and
- sufficient details that allows us to properly understand, evaluate, and respond to it.

We will always aim to help you when you wish to exercise your rights but in some instances we may have lawful grounds to reject your request, such as when we cannot verify your identity to determine if the requested personal data relates to you, or when there is an existing legal or contractual basis, or where permitted by the relevant law.

We will investigate any request you make promptly and will respond to you within the timelines provided by the PDPA. Kindly note that period may be extended where this is needed to help us respond properly (e.g. if the request is complicated for us to deal with and we need more time) but we will let you know the reasons for the delay.

**Fees.** Kindly note as permitted under the PDPA or relevant law, we may charge a reasonable fee if your request, particularly where the request is complex, or otherwise repetitive or excessive.

## 8.3. **Specific Rights.** In some applicable jurisdictions, you may have certain rights under relevant data protection laws. Please see the addendum to this Notice for specific additional information by region/country in the [\[Privacy Centre\]](#). Alternatively, you may [\[Contact Us\]](#).

# 9. How do we secure & protect personal data?

9.1. **Our safeguards.** We will use reasonable endeavour to protect personal data in our possession or control against risks of loss, misuse, unauthorized or accidental access or disclosure, unauthorized collection, use, copying, modification, disposal or destruction, through reasonable and appropriate security measures. We strive to ensure that our systems are secure and meet industry standards. To prevent unauthorized access, we have put in place appropriate physical, electronic and managerial procedures to safeguard and secure the personal data we collect.

9.2. **Your responsibilities.** Despite our security measures, please note that no method of transmission over the Internet or method of electronic storage is completely secure or error free. Safeguarding and protecting personal data is a shared responsibility. You play an important role



in protecting and safeguarding your personal data. It is your responsibility to employ adequate safeguards such as:

- Using a secure web browser
- have adequate passwords (if any), and maintain the secrecy of your password
- ensure that the electronic device you are using is adequately secured and protected against malicious software, such as trojans, computer viruses and worm programs. Such security includes up-to-date anti-virus software and firewall
- do not use, access or download of files or software from dubious sources
- always log-out, and do not have your email address and password remembered if you are using a shared or public electronic device

You are aware of the fact that without adequate safeguards there is a risk that your personal data could be disclosed to unauthorized third-parties from your end.

## 10. How long is the personal data kept?

We may retain your personal data for as long as it is necessary to fulfil the purpose for which it was collected, or as required or permitted by the PDPA. We will cease to retain your personal data, or remove the means by which the data can be associated with you, as soon as it is reasonable to assume that such retention no longer serves the purpose for which the personal data was collected, and is no longer necessary for legal or business purposes.

## 11. Updates To This Notice

From time to time, we may amend this Notice for various reasons, for example:

- i. to improve this Notice, such as changing the design or look of the Notice, or adding clarification where required, or correcting inadvertent errors,
- ii. to accurately reflect our data handling practices,
- iii. to reflect new developments on products, services, or other technological advancement, and
- iv. to comply with changes with the applicable law, regulatory requirements, and industry practices.

The amended Notice will be effective on the posting date detailed above.

We will notify you of the amended Notice by displaying prominently on this Site that there are amendments to the Notice.

Your continued interaction with us or sharing of your personal data with us on or after the display of the amended Notice indicates your consent to the process your personal data as per the amended Notice.

You are responsible to periodically review this page for the latest information on our data handling practices.

## 12. Contact Us

If you have any queries about this Notice or our data handling practices, please contact our data privacy officer at the following:

- Email : [privacy@novugen.com](mailto:privacy@novugen.com)
- Phone : +603 5870 2242

## Change Log / History

Revision No. & Date	Remarks
v 1.0 7 June 2022	Online publication of Notice.
v 1.1 21 December 2022	Fixed inadvertent spelling error to resulting to broken links to Privacy Centre.