



## **Mindray Privacy Notice**

### **1. Overview**

This Privacy Notice ("**Notice**") defines the manner in which **SHENZHEN MINDRAY BIO-MEDICAL ELECTRONICS CO., LTD.**, based in Shenzhen, China and its affiliate ("**Company**" or "**we/us**") process Personal Data (as defined below) that pertains to

Customers, as respectively defined below (collectively, the "Data Subjects" or "you/your").

This Notice does not apply to Employees (i.e. employees, temporary workers, secondees, agents or former employees of the Company or candidates whom the Company may potentially employ or contract with).

This Notice applies to all categories of Personal Data of Data Subjects received and generated by the Company whether in electronic, paper or oral recorded format ("**Personal Data**").

We collect and process your Personal Data in accordance with all applicable data protection laws and regulations, including, without limitation, the General Data Protection Regulation (EU) 2016/679 of 27 April 2016 ("**GDPR**"), the Data Protection Act, the Personal Data Protection Law of the People's Republic of China (the "**PIPL**"), as well as the laws, orders and guidelines issued by the competent data protection authorities, as applicable (the "**Data Protection Laws**").

#### **In summary:**

- a. We will not collect Personal Data without the Data Subjects' knowledge or without a legal basis to do so. This Notice sets forth the purposes for which we collect and use Personal Data, how to contact us with any enquiries or complaints, the types of third parties to which we disclose the information, Data Subjects' rights in respect of their Personal Data and the choices and means available for limiting its use and disclosure.
- b. **In customer satisfaction surveys, Personal Data collection is clearly separated from other parts. You have the right to decline to provide Personal Data without affecting the questionnaire submission. Only Hospital/Institution Name, Country, Contact Person Name (Optional), Email Address may be collected.**
- c. We will not disclose Personal Data to third parties except as provided in this Notice.
- d. We will transfer Personal Data outside of the country in which you are located within the Mindray Group, and to third parties as noted in Section 6 below, including to our headquarter located in Shenzhen, China. For this reason, we transfer Personal Data to other countries that may have different laws and data protection compliance requirements to those that apply in the country in which you are located. When we transfer Personal Data outside of the country in which you are located, we will take appropriate measures to abide by the Data Protection Laws and to protect the

Personal Data we transfer. See Section 6 below for further information.

- e. We have appropriate technical and organizational measures in place to protect the security of Personal Data we hold from loss, misuse and unauthorized access, disclosure, divulgence, alteration and destruction.
- f. We will allow Data Subjects to exercise their rights in accordance with Data Protection Laws and within its limits including, without limitation the rights to access, correct or remove Personal Data upon request.
- g. We will regularly review how we are meeting these privacy promises, and we will provide an independent specific way to resolve complaints about our privacy practices.

## 2. **Scope of Notice**

This Notice applies to Personal Data related to physical persons within these categories:

- **Customers' contact person**

Specific sections of this Notice are dedicated to a single category of Data Subject where expressly indicated.

## 3. **Modifications and Updates**

This Notice may need to be modified from time to time as necessary in the future to reflect changes in circumstances. We shall provide Data Subjects with a new version when any substantial updates are made. The Data Subjects can access the most recent version at any time by visiting the Company Website, or by contacting the Company at the address or contact details indicated in the Notice.

## 4. **Personal Data Collected, Purposes and Legal Basis**

We may collect the following information at the end of customer satisfaction surveys to promptly respond to the feedback and suggestions you submitted in the survey.

- **Hospital/Institution Name**
- **Country**
- **Contact Person Name (Optional)**
- **Email Address**

Provision of the above information is entirely optional. **You may choose "No" to submit the survey without providing any Personal Data.**

In addition, we may also have access to the personal data you submitted in the questionnaire filling fields (if any).

Besides the questionnaire, when contacting or communicating with us, e.g. by email, the data you provide will be stored and processed by us in order to answer your questions, requests or for

the purpose of business-related correspondence. We delete the data arising in this context once storage is no longer necessary, unless statutory retention obligations exist or periods of limitation must be observed.

We may transfer the collected data to the relevant internal departments for processing and to other affiliated companies within the Mindray Group, distributors or to external service providers if necessary and in accordance with the purposes required (e.g. for establishing contacts, business related correspondence, customer care, etc.).

Further to the above, the purposes for which we process Personal Data, subject to applicable law, are as follows:

- Operating our business and operating and managing our services;
- Management of our IT systems: management and operation of our communications, IT and security systems; and audits (including security audits) and monitoring of such systems.
- Establishment, exercise and defense of legal claims: management of legal claims; establishment of facts and claims, including collection, review and production of documents, facts, evidence and witness statements; exercise and defense of legal rights and claims, including formal legal proceedings.

Legal basis: Art. 6 (1) (a), (b), (c) and (f) GDPR; Art. 13 (1), (2), (3), (6) and (7) PIPL.

## 5. **Notice**

### How We Collect Personal Data

We generate, collect and maintain Personal Data in connection with the Data Subject's relationship, and as permitted or required by applicable law, for the legal bases identified above.

We obtain most Personal Data in the forms and applications that the Data Subject fills out in connection with his/her relationship with the Company.

## 6. **Choice - Recipients**

From time to time, we may need to disclose some Personal Data we process about Data Subjects to relevant third parties as listed below, in order to perform our obligations under a contractual relationship, in order to comply with our legal obligations or on the basis that it is in our legitimate interests to do so, in ensuring our business is run efficiently.

Any recipient or third party receiving the data by the Company, is a data processor duly authorized by us or an autonomous data controller, with the only exceptions provided by the Data Protection Laws.

- **Tax authorities:** We may transfer Personal Data if legally obliged to do so by the tax authorities;
- **Group Companies:** We may transfer Personal Data to another entity within the Company's Group or to one of our service providers for purposes connected with a Data

Subject's relationship with Company, and to the extent required for such purposes;

- **Sale of the Company:** Personal Data will be disclosed to buyers or prospective buyers of parts of the Company's businesses and their advisors if and to the extent required in connection with such transaction;
- **Government Request:** We will also disclose specified Personal Data to third parties in response to an administrative or judicial order, including subpoenas and search warrants, or similar information requests from government authorities;
- **Litigation:** We will disclose Personal Data if and to the extent required to establish or exercise our legal rights or to defend the rights, property, or safety of our organization or others; or if and to the extent required in connection with litigation in response to a discovery request to the extent permitted by applicable Data Protection Laws. This information may be disclosed by the Company or by the service provider or the entity in the Mindray Group that holds the data in its servers;
- **International Transfer:**

We may transfer Personal Data to third parties as noted in this Section 6, including to our headquarter located in Shenzhen, China. Specifically, your Personal Data will be:

- collected by our Service Department located in Shenzhen, China; and
- processed by our Service Department (Service Engineer, Service Supervisor and Service Manager), Service Channel Department (Service Channel Manager, Service Channel Specialist), Quality Department (QA Engineer, QA Supervisor and QA Manager).

For this reason, we transfer Personal Data to other countries that may have different laws and data protection compliance requirements to those that apply in the country in which you are located. When we transfer Personal Data outside of the country in which you are located, we will take appropriate measures to abide by the Data Protection Laws and to protect the Personal Data we transfer.

The Company has taken measures by way of appropriate safeguards for the Data Subject, which may consist of binding corporate rules approved the supervisory authority, standard data protection clauses adopted by the EU Commission or adopted by a supervisory authority and approved by the EU Commission, codes of conduct approved by a supervisory authority or the EU Commission, certification mechanism approved by supervisory authority, or contractual clauses authorized by a supervisory authority.

Personal Data may be transferred to and processed by, or on behalf of, entities in the Mindray Group that are based outside of the country in which you are located. Each such entity has adopted, for the protection of our Data Subjects' Personal Data, a notice and procedures that are consistent with the provisions of this Notice.

- **National Security:** In exceptionally rare circumstances where nation, state, or company security is at issue, we may share Personal Data with appropriate government authorities as required or as permitted by the law.

## 7. **Conditions to a Transfer or Disclosure**

When the Company shares Personal Data with another entity, the Company requires this other entity to agree in writing:

- To use Personal Data solely for the purpose for which the information is being shared,
- Not to share this Personal Data with any third party outside of the Company,
- To use reasonable security measures to protect the Personal Data, and
- To comply with all applicable legal requirements.

## 8. **Security**

The Company has appropriate technical and organizational measures in place to maintain physical, procedural, and technical security in its offices, information systems, and information storage facilities to protect Personal Data from loss, misuse, unauthorized access, erroneous disclosure, alteration, or destruction. We restrict access to Personal Data to those individuals who need access to that information to assist us in performing our duties and obligations.

The Company requires employees with access to Personal Data to keep it strictly confidential, to access it only on a need to know basis, and not to use it or to disclose it to third parties other than as permitted under this Notice, or as permitted or required by the applicable law. Failure to do so, such as unauthorized, inappropriate, or excessive disclosure of Personal Data about individuals, will be regarded as serious misconduct and will be dealt with in accordance with the Company's disciplinary procedures.

Data Subjects acknowledge that transmission over the Internet is never completely secure or error-free. Because of this, we cannot and do not guarantee the security of Personal Data that the Data Subject provides to us when in transit through the Internet. Thus, when submitting Personal Data to the Company through an Internet connection, the Data Subject must weigh both the benefits and the risks before submission.

## 9. **Data Integrity and Accuracy**

The Company is committed to collecting only Personal Data that is relevant for the purposes for which it is to be used as listed above. The Company is also committed to ensuring that Personal Data is not processed in a way that is incompatible with the purposes for which it has been collected or subsequently authorized by a Data Subject.

To the extent necessary for these purposes, the Company takes reasonable steps to ensure that all Personal Data is reliable, accurate, complete, and current.

## 10. **Data Subjects' Rights**

According to Data Protection Laws and within its limits, the Data Subject has the following rights:

- to access and ask for a copy of the Personal Data about him/her that we hold (subject to certain restrictions);
- to ask for the amendment or correction of Personal Data that is demonstrated to be inaccurate or incomplete, to the extent permitted or required by applicable law;
- to obtain the erasure or deletion of his/her Personal Data;
- to object to the collection and processing of his/her Personal Data;

- to withdraw consent to the processing of their Personal Data if the processing is based on consent;
- to file a complaint with his/her local data protection authority of his/her country regarding the processing of their Personal Data;
- to move, copy or transmit Personal Data from the Company's database to another one; and
- to request the restriction of Personal Data processing.

If the Data Subject wishes to exercise any of the above rights the Data Subject should contact us as set forth in the section “How to Contact Us” below. We will process all requests within the time frames defined by applicable law (and if no such time frames are specified, within a reasonable time period).

#### 11. **Storage and Retention of Personal Data**

We retain Personal Data and dispose of it in paper and electronic format, in a form that allows the identification of the Data Subjects, for a period of time not exceeding the achievement of the purposes for which they are processed or in accordance with Data Protection Laws and this Notice.

We will also retain certain Personal Data if necessary to prevent fraudulent activity, to protect ourselves against liability, permit us to pursue available remedies, or limit any damages that we may sustain, or if we believe in good faith that an order, law, regulation, rule or guideline requires such retention.

#### 12. **Data Controllers - How to Contact us**

##### **SHENZHEN MINDRAY BIO-MEDICAL ELECTRONICS CO., LTD.**

The address of **SHENZHEN MINDRAY BIO-MEDICAL ELECTRONICS CO., LTD.** is: Mindray Building, Keji 12th Road South, High-tech Industrial Park, Nanshan, Shenzhen 518057, P.R. China.

To exercise any of the rights mentioned in section 10 and contact the Data Controller, please write at [privacy@mindray.com](mailto:privacy@mindray.com) or at the address indicated above.