



Novartis Binding Corporate Rules Appendix 5

Date: 03 September 2018

Appendix 5 to Novartis BCR Complaint Handling Procedure related to the BCR

Complaints concerning the BCR shall be handled according to the following procedure:

1. FILING OF A COMPLAINT

1. If a Data Subject reasonably and in good faith believes that there has been a violation of the BCR, he or she can file a complaint with the Group Data Protection Officer (GDPO), designated by Novartis in accordance with article 37 of the GDPR.
2. The Data Subjects shall submit the complaint in their local or other appropriate language directly to the GDPO via email at: global.privacy_office@novartis.com. Associates can also submit their complaints to their Country Data Privacy Head, who will promptly inform the GDPO about the complaint.
3. Research Participants, when submitting their complaint, shall provide the name and contact details of their Healthcare Professional whom the GDPO shall contact for further reference.
4. The GDPO shall confirm the receipt of the complaint to the Data Subject, as soon as feasible, in general within five working days from the receipt of the complaint by the GDPO.

2. INVESTIGATION AND RESOLUTION OF A COMPLAINT

1. Upon receiving the complaint, the GDPO shall initiate an investigation to verify whether the violation has occurred and to determine its scope and effects.
2. Where the investigation has confirmed a violation of the BCR, the GDPO, upon reviewing the investigative report from the responsible investigator, shall send the final summary report to senior management who shall take action to address the complaint.
3. The investigation of the complaint shall be handled within a period not exceeding two months from the submission of the complaint to the GDPO. Where a longer period is necessary, the Data Subject shall be informed of this fact before the expiry of the two-month period. In any case, the period of investigation shall not exceed six months.
4. The Data Subject shall be informed after closure of the investigation whether any violation of the BCR has been found and where applicable, of how the complaint will be addressed.

3. PROCEDURE TO EXERCISE THE THIRD PARTY BENEFICIARY RIGHT

1. Where the Data Subject has suffered an actual damage as a result of a violation of sections 2.2, 3, 6, 7, 8.2 and 10.2 of the BCR and no agreement can be found on how the justified complaint shall be addressed, or where contrary to the findings of the investigation the Data Subject sustains its claim that there has been a violation of the BCR, the Data Subject can seek to enforce his third party beneficiary rights in accordance with the law applicable in the place of jurisdiction and the terms under Section 7 of the BCR before:
 - (i) the relevant Data Protection Authority; or
 - (ii) The courts located in the country where the Data Exporter is established; or
 - (iii) Where the Data Exporter is established outside of the EEA or Switzerland, but Processes Personal Information in the EEA or Switzerland, the courts located in the country where such Processing takes place.

Version History

Effective Date	Owner	Version	CNIL
3 July 2012	Group Data Privacy	1.0	3 July 2012
3 September 2018	Group Data Privacy	2.0	3 September 2018