

DATA PROTECTION DECLARATION

BETACHEK[®] Diabetes Management App

1. Data Protection Declaration

Data Protection Declaration of National Diagnostic Products Pty Limited, 7-9 Merriwa Street, Gordon, NSW 2072, Australia ("NDP", "we", "us") concerning the iOS and Android offered Apps ("App") and all data processing activities carried out within the App.

i. The protection of your privacy is a high priority to us. The following declaration is intended to inform you comprehensively about which (personal) data we collect while using our App as well as how we deal with it and your rights within this context. Our Data Protection Declaration complies with the General Data Protection Regulation of the European Union ("GDPR").

ii. Data protection regulations must always be observed when personal data is processed. For the scope of this Data Protection Declaration, the definitions of the GDPR are valid. Thus, the "processing" of personal data essentially includes any handling of the same. As far as data processed by us are human-related and – even if only through third parties or by means of additional knowledge – make you identifiable as a person (in particular, have your full name brought to light), it is considered personal data.

2. Data processing from your use of the App.

If you install and start our App on a mobile device, your IP address and other metadata that allow us to draw general conclusions in connection with the usage of our app may be collected and processed automatically. The explanations under point 1 apply analogously. This also includes device-specific information (device ID, operating system, platform).

This data processing is based on the overriding legitimate interests of NDP (Art 6 paragraph 1(f) GDPR) and enables us, among other things, to continuously improve the quality of our App and to offer our users the best possible service.

Furthermore, the App does not request any specific authorisation from you, and as such we are unable to access any personal information (such as the address book).

Submission of personal identification information is not required to use the App. You may elect to enter personal information for the purpose of managing the uploaded results, and to

assist in any transfer of these results via email by you. If you do not enter personal information, we will process your data as described under point 1 and 2.

3. What kind of data?

In the course of using the App, you may choose to enter the following information. Although this data is stored locally on your mobile device, it may be accessible by us for the purpose of delivering the services of the App. The data we collect and process (in addition to the data mentioned under point 1):

- First name
- Last name
- Date of birth
- Email address
- IP address

4. What legal basis and for what purpose is the Data processed?

- For user name, first name, last name, date of birth, email address: unique identification of the user.
- For IP address: Fraud prevention, blocking possibility, tracing of country accesses.

5. Advertising and your personal data.

- No advertising is displayed in the App.
- No personal data is sold or transferred to advertisers.
- No usage statistics, patterns, or preferences are recorded for any advertising.

6. Personal Data storage and deletion

Your personal identification data will only be kept by us for as long as reasonably deemed necessary by us to achieve the purpose of performance of the app and as permitted by applicable law. We store the personal data in any case as long as legal storage obligations exist or limitation periods for potential legal claims have not yet expired. If the storage of the data is no longer required for the purposes of the original collection (or within the scope of a legally permissible change of purpose) and there are no legal provisions to the contrary, we will arrange the data deletion. For this purpose, we have implemented a deletion concept that protects all personal data.

7. Personal Data transmission by us

For the purposes explained in this Data Protection Declaration, we will transfer your personal data to recipients of the following categories:

- Within our organization; those employees who need the data based on our legitimate interests.

- External contractors commissioned by us if they require the data to provide their respective service of development and maintenance of the App or related activities. All contractors are contractually obliged to treat your data confidentially and to process it only within the scope of the provision of services.

8. Uploaded test results data

When using the App, your personal test results are sent from your Betachek® blood glucose meter to the App loaded on your mobile device. They can then be viewed and analyzed in tables and graphs. Test results include glucose measurement results with time, day, date, notes, icons, cassette lot number and expiry date data.

- These uploaded test results are stored locally on your mobile device. They are not stored on our servers and they are not stored in the “cloud”.
- Test results are not transmitted to us and not collected by us.
- Test results are not accessible by us.

Test results are uploaded from your Betachek® blood glucose meter to your mobile device using Bluetooth.

- Bluetooth pairing security: The upload can only be done after the two devices are “paired”. To pair the devices, the user must be in control of both devices.
- Bluetooth result upload security: Result upload from the Betachek® meter to the App can only occur if the two devices are actively operated at the same time.

Security measures to protect the meter from unauthorized pairing and / or unauthorized uploading to the App meet the industry standards for equivalent devices using Bluetooth, and require multi-device simultaneous action in close proximity.

9. Your test results data: Transmission by you

When using the App, you may elect to send your test results to your doctor or health care professional. This can be done via email using the email address of your doctor or health care professional. This is not automatic. You will need to actively select this option and execute the email transfer each and every time you choose to send your results.

When you select this option your test results are transferred from your mobile device to the email address of the recipient of your choice. NDP is not a party to this data transfer between your personal mobile device and your doctor or health care professional via email. It is recommended that you use this function only with the prior consent of your doctor or healthcare professional.

10. Rights of the Data Subject

A central aspect of data protection regulation is the implementation of adequate opportunities to allow for the disposal of personal data even after such data has been processed. For this purpose, a series of rights of the data subject are set in place. NDP will comply with your

corresponding requests to exercise your rights without undue delay. To exercise your rights, please contact us at the following email address: support@betachek-europe.com.

Specifically, the following rights are entailed:

a. If you exercise your right to information and there are no legal restrictions, we will inform you in detail about our processing of your data. To this end, we will send you (i) copies of the data, as well as information on (ii) specifically processed data, (iii) processing purposes, (iv) categories of processed data, (v) recipients, (vi) the storage period or criteria its determination, (vii) the origin of the data and (viii) further information as the case may be.

Please note, however, that we cannot hand over any documents that could impair the rights of other persons.

b. With the right to correct, you may request that we correct incorrectly recorded, incorrect or incomplete data.

c. The right to (data) deletion may be exercised (i) in the absence of any need for processing purposes, (ii) in the event of the revocation of a consent granted by you, (iii) in the event of a special objection, provided that the data processing concerned is based on the legitimate interests of NDP, (iv) in the event of unlawful data processing, (v) in the event of a legal obligation to delete and (vi) in the event of data processing by minors under 16 years of age.

d. In special cases there is an accompanying right to restrictions, after the exercise of which the data concerned may be stored. In addition to the possibility of restricting the examination period for data corrections, (i) the unlawful data processing (if no deletion is requested) and (ii) the duration of the examination of a special request for objection are covered.

d. With the right to data portability, you may request to receive the data in a structured, commonly used and machine-readable format and transmit those data to another controller.

e. In addition, you have a right to object to data processing. However, this only applies if the processing is not based on the legitimate interests of NDP. You may also exercise your right of appeal to the Supervisory Authority.

f. Please also note that we may not be able to comply with your request due to compelling reasons worthy of protection for processing (balancing of interests) or processing due to the assertion, exercise or defense of legal claims (on our part). The same applies in the case of excessive requests, whereby a fee may be charged here as well as in the processing of manifestly unfounded requests.

11. Data Security

NDP takes all appropriate technical and organizational measures to ensure that only personal data whose processing is absolutely necessary for business purposes are processed by default. The measures we have taken concern both the amount of data collected, the processing scope and its storage period and accessibility. On the basis of these measures, we ensure that personal data by default is only made available to a narrowly limited and necessary number of persons. Under no circumstances will other persons be granted access to personal data without the express consent of the data subject. We also use various protection mechanisms (backups, encryption etc) to secure our App management systems. This should serve to protect your (personal) data as best as possible from loss or theft, destruction, unauthorized access, alteration and dissemination.

All NDP employees have been sufficiently informed of all applicable data protection regulations, internal data protection regulations and data security precautions and are required to keep secret all information entrusted or made available to them in the context of their professional employment. The requirements of the GDPR are strictly observed and personal data is only made available to individual employees insofar as this is necessary with regard to the purpose of data collection and our obligations arising there from. If we use contractors, they are also obliged to comply with all applicable data protection regulations on the basis of specific framework agreements. Furthermore, when handling your (personal) data, they are strictly bound to our guidelines, in particular with regard to type and scope.

12. Right of Appeal

If you are of the opinion that we violate applicable data protection laws when collecting your data, you have the right to file a complaint with the relevant national data protection authority. The requirements for such a complaint are based on the respective national implementation law of the GDPR, as the GDPR itself does not provide for any regulation in this respect. However, we ask you to contact us in advance in order to clarify any questions or problems.

13. Contact Details regarding Data Protection Issues

In case you have any questions or requests concerning our privacy practices or if you would like to exercise your right of information, rectification or deletion, please send us a written request outlining your desire to:

National Diagnostic Products Pty Limited
7-9 Merriwa Street,
Gordon, NSW 2072
Australia
Email: support@betachek-europe.com