

## **WEX Pharmaceuticals Inc.**

### **Privacy Statement**

Last Updated: April 06, 2022.

#### **Introduction**

Your privacy is important to WEX Pharmaceuticals Inc. (“**WEX**”). This Privacy Statement explains how WEX collects, uses, discloses and retains personal information, including information collected through the WEX website and when you otherwise generally interact with WEX, but excludes information collected in connection with clinical trials administered by WEX or a clinical research organization on behalf of WEX.

In this Privacy Statement, “**personal information**” means information about an identifiable individual, such as an individual’s name and email address, but does not include, to the extent permitted by law, information that is publicly available in a telephone directory, business contact information that enables an individual to be contacted at a place of business, and other kinds of information that are not subject to regulation by personal information protection or privacy laws.

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#### **1. Scope of this Privacy Statement**

This Privacy Statement applies to WEX’s personal information handling practices generally, including WEX’s collection, use, disclosure and retention of personal information collected through the WEX website and when you contact WEX. This Privacy Statement does not apply to WEX’s personal information handling practices in connection with clinical trials administered by WEX or a clinical research organization on behalf of WEX.

For information on how WEX collects, uses, discloses and retains personal information about healthcare professionals involved in the conduct of clinical trials, please refer to WEX’s Privacy Notice for Healthcare Professionals.

For information on how WEX collects, uses, discloses and retains personal information about individuals who participate in a clinical trial, please refer to WEX’s Privacy Notice for Clinical Trial Participants.

#### **2. Your Consent**

By providing WEX with your personal information, you consent to the collection, use, disclosure and retention of that information by WEX in accordance with this Privacy Statement and as otherwise permitted

by applicable law. You may withdraw your consent at any time, subject to legal or contractual restrictions and on reasonable notice to WEX, but then you might not be able to proceed with your intended interactions or transactions WEX or otherwise receive the full benefit of WEX's products and services.

Please refer to section 6 of this Privacy Statement to learn about your options for withdrawing your consent.

### **3. How WEX Collects Personal Information**

#### **(a) Information You Provide**

You may be asked to voluntarily give your personal information to WEX when you interact with WEX, including when you request information from WEX. In those circumstances, you can choose not to provide certain requested personal information, but then you might not be able to proceed with your intended interaction or transaction with WEX or otherwise receive the full benefit of the desired product or service.

For example, WEX may collect:

- contact information (such as name, email address, postal address and phone number) when you make an inquiry or contact us;
- contact information, employment information and government-issued identification information when you apply for an employment opportunity with WEX; and
- contact information, communications preferences and correspondence you send to us.

In those circumstances, you can choose not to provide certain requested personal information, but then you may not be able to proceed with your intended interaction with WEX.

If you give WEX the personal information of another individual, then you are solely responsible for complying with all applicable laws, including obtaining the individual's valid consent, regarding your collection and disclosure of the personal information to WEX and to WEX's use, disclosure and retention of the personal information.

#### **(b) Automated Collection**

WEX may use technologies to automatically collect certain information regarding your use of the WEX website or online services, such as the dates and times that you access a WEX website or a online service, the browsers, operating systems, software, devices and networks that you use to access the website or online service and details of your use of the website or online service.

WEX's website, online services, email messages, and advertisements may also use technologies (e.g. cookies, web beacons, tokens, pixels or tags) to automatically collect information that assists WEX to improve its products, services, customer communications and advertising and to prevent fraud.

Some of the information automatically collected by technological means is non-personal information (because the information does not identify you), and WEX will deal with that non-personal information as explained below in this Privacy Statement unless applicable law requires otherwise.

#### **(c) Information from Other Sources**

WEX may collect personal information from various publicly available sources.

### **4. How WEX Uses Personal Information**

#### **(a) General**

WEX may use your personal information for various purposes in connection with its relationship and transactions with you and as otherwise set out in this Privacy Statement or permitted by applicable law, including: (i) to contact and correspond with you; (ii) to process and respond to your inquiries, requests and other communications; (iii) to provide you with information (including by email and other electronic messages) regarding WEX and its business and the products and services offered by other businesses, to the extent permitted by applicable law; (iv) to maintain, protect and improve WEX's business; (v) to develop, deliver and improve WEX's advertising and marketing; and (vi) to protect and enforce WEX's legal rights, interests and remedies and to protect the business, operations and customers of WEX or other persons.

WEX may combine your personal information collected by WEX through various sources.

WEX may use your personal information to create non-personal information, and WEX may then use, disclose, transfer and retain the non-personal information as set out below in this Privacy Statement.

**(b) Information Collected by Technological Means**

WEX may use information collected by technological means to recognize you as a user of WEX's website, to facilitate and improve your use of WEX's website and online services, to confirm that messages have been delivered to and opened by you and to provide you with targeted advertisements. WEX may use web beacons, pixels or gif tags and action tags to confirm that email messages have been delivered and opened. You may opt out of receiving emails in accordance with this Privacy Statement.

Information provided by cookies may be collected and processed by WEX or by its third party service providers, including Google, LinkedIn and Facebook.

You may choose to decline or disable cookies if your web browser or device permits, but doing so may affect your ability to access or use certain features of a website. Information about how Google uses cookies and how you can limit or disable certain kinds of cookies on your personal computer or mobile device is available here: <https://www.google.com/policies/privacy/partners/> and <https://www.google.com/policies/technologies/ads/>.

**(c) Interest-Based Advertising**

WEX may use interest-based advertising services (sometimes called "remarketing" or "retargeting") provided by third party vendors (such as Google, LinkedIn and Facebook) to display advertisements on third party websites and social media sites visited by users of WEX's website or online services. Advertising vendors (such as Google, LinkedIn and Facebook) use cookies, pixels or tokens – unique identifiers of a web browser on a specific computer that are installed on the computer when it accesses WEX's website and online services – to display ads based on the computer's past access to WEX's website and online services. You can opt-out of Google's use of cookies as indicated in section 4(b) of this Privacy Statement. You can also opt out of a remarketing vendor's use of cookies by visiting the Network Advertising Initiative's consumer opt-out page (<https://optout.networkadvertising.org/?c=1>).

**5. How WEX Discloses Personal Information**

**(a) General**

WEX discloses your personal information for purposes relating to or arising from your relationship and transactions with WEX and as otherwise set out in this Privacy Statement or permitted by applicable law.

**(b) Specific Consents**

WEX may disclose your personal information in accordance with express or implied consents that you give during your interactions and transactions with WEX.

**(c) Suppliers and Service Providers**

WEX may disclose your personal information to its suppliers and service providers to assist WEX in the provision of products and services to you, to provide services to WEX, to assist WEX to use your personal information as set out in this Privacy Statement and as otherwise permitted by applicable law.

**(d) Business Partners and Other Third Parties**

In some circumstances, WEX may share your personal information with its business partners, such as strategic business partners who provide products and services that may be of interest to you, and other third parties. WEX will only disclose your personal information to a third party if WEX has your consent to do so, if you have provided your consent to the third party, or if WEX is legally required or permitted to do so.

**(e) Law Enforcement/Legal Disclosures**

WEX may disclose your personal information as required or authorized by applicable law, including to comply with a subpoena, warrant or court or arbitral order or litigation disclosure obligation. WEX may

disclose your personal information to law enforcement agencies or other independent organizations if WEX reasonably believes the disclosure is necessary or appropriate in connection with national security, law enforcement or other issues of public importance, or if WEX reasonably believes the disclosure is necessary or appropriate to protect and enforce WEX's legal rights, interests and remedies or to protect the rights, interests, business, operations or customers of WEX or other persons (including to detect and prevent fraud and other illegal activities, to enforce any of the terms of use, terms of service or other agreements that govern access to or use of any of WEX's products and services). WEX has no control over, or responsibility or liability for, the use, disclosure or retention of your personal information by the agencies, independent organizations or other persons to whom WEX discloses the information in the foregoing circumstances, and the use, disclosure and retention of the disclosed information by those agencies, independent organizations or other persons is not subject to this Privacy Statement.

**(f) Business Transactions**

WEX may disclose your personal information in connection with a proposed or actual business transaction in which WEX is involved (e.g. a corporate amalgamation, joint venture, strategic alliance, license arrangement, partnership, reorganization, merger or acquisition, or the sale or transfer of some or all of WEX's business or assets).

**6. Your Right to Withdraw Consent**

You may withdraw your consent to WEX's collection, use, disclosure and retention of your personal information as set out in this Privacy Statement at any time, subject to legal or contractual restrictions and reasonable notice. To withdraw your consent, you may contact us at the contact information set out at the end of this Privacy Statement.

If you withdraw your consent to the collection, use, disclosure and retention of your personal information for purposes that are integral to the provision of WEX's products and services, then you might not be able to proceed with your intended interactions or transactions with WEX or otherwise receive the full benefit of WEX's services.

If you withdraw your consent to the collection, use, disclosure and retention of your personal information for additional purposes that are not integral to the provision of WEX's products and services (e.g., to send advertising and marketing messages to you) then withdrawing your consent for those purposes will not affect the provision of WEX's services to you.

**7. Location of Personal Information**

WEX (directly and indirectly through its service providers) may process, store and use your personal information at facilities in Canada, the United States, Hong Kong, China, Taiwan, Singapore, South Korea, Vietnam, and other countries. The personal information protection laws of those other countries might be different from the laws of the jurisdiction in which you reside, and might permit courts, government, law enforcement agencies, regulatory agencies and security authorities to access your personal information without notice. By providing your personal information to WEX, you consent to the transfer of the personal information to facilities located in other countries and the processing and storage of the personal information at those facilities.

**8. Retention of Personal Information**

WEX will retain your personal information for the period reasonably necessary for the purposes set out or referenced in this Privacy Statement, to comply with applicable law and to enforce or protect WEX's legal rights, or a longer period required or permitted by applicable law. WEX will delete or dispose of your personal information, or depersonalize the information, when WEX is no longer reasonably required to retain the information for the purposes set out or referenced in this Privacy Statement.

**9. Protection of Personal Information**

WEX uses reasonable safeguards – including administrative, physical and technical security and safeguarding measures – appropriate to the sensitivity of the personal information in WEX's possession or under WEX's control to help protect the information from unauthorized access, collection, use, disclosure, deletion or similar risks. Nevertheless, security risks cannot be eliminated and WEX cannot guarantee that,

and will not assume liability for, your personal information will not be accessed, used, disclosed or deleted in ways not described in this Privacy Statement.

## **10. Accuracy and Access to Personal Information**

WEX will rely on you to ensure that the personal information you provide to WEX is as accurate, complete and up to date as necessary for the purposes for which the personal information will be used. You will promptly notify WEX of any changes to your personal information using the procedures made available for that purpose by WEX or by contacting WEX's Privacy Officer (see section 16 below).

You may reasonably request access to your personal information collected by or on behalf WEX and information about WEX's use, disclosure and retention of the personal information by submitting a written request to WEX's Privacy Officer (see section 16 below). Subject to applicable exceptions and limitations prescribed by applicable law, you will be given reasonable access to your personal information and you will be entitled to verify the accuracy and completeness of your personal information and have the information corrected as appropriate. You may be required to pay a reasonable fee for access to your personal information. WEX may decline to process an access request that is unreasonably repetitive, frivolous, vexatious or impracticable, or if WEX reasonably believes that the requested access would infringe or jeopardize the privacy of other persons, or violate any applicable law or legal requirement, or for other reasons permitted by applicable law.

## **11. Non-Personal Information**

WEX may use your personal information to create and collect non-personal information (information that is not about an identifiable individual), including personal information that has been aggregated or otherwise depersonalized so that the information no longer relates to an identifiable individual. WEX may use, disclose, transfer and retain non-personal information for any purpose and in any manner whatsoever. If non-personal information is combined with personal information, then WEX will treat the combined non-personal information as personal information for the purposes of this Privacy Statement for as long as the non-personal information is combined with the personal information.

## **12. Other Websites and Businesses**

The WEX website and correspondence (including emails and messages) may include advertisements for products and services offered by independent businesses or links to websites operated by independent businesses. WEX has no responsibility or liability for, or control over, those other independent businesses, their websites, products or services, or their collection, use, disclosure or retention of your personal information. This Privacy Statement does not apply to the collection, use, disclosure and retention of your personal information by independent businesses or through independent websites or online services. If you have questions about how those independent businesses or their websites or online services collect, use, disclose or retain personal information, please contact the owner or operator of the independent businesses, websites and services.

## **13. Social Media**

When you use certain aspects of the WEX website or other services to post information to social media sites (e.g. there may be links to WEX's Facebook, Twitter, Instagram or LinkedIn pages), the personal information that you post or share in connection with the social media sites is visible to other persons and can be read, collected, used and disclosed by other persons, including to send unsolicited messages. In those cases, you will be leaving WEX website and going to the third party's website. Any information provided to social media sites and other sites is governed by their own privacy policies. You are solely responsible for the personal information that you choose to post or share in those situations. WEX has no control over, or responsibility or liability for, the use, disclosure, and retention of the personal information that you disclose in those situations, and the use, disclosure, and retention of the disclosed information is not subject to this Privacy Statement.

## **14. Children and Personal Information**

WEX does not knowingly collect personal information from children under 13 years of age without the consent of a legal guardian. If WEX learns that WEX has collected or received personal information from a

child where parental or guardian consent was required, WEX will delete that information unless the parent or guardian provide the required consent. If you believe WEX might have any information from or about a child where parental or guardian consent was required, please contact WEX's Privacy Officer using the contact information set out at the end of this Privacy Statement.

## 15. Other Matters

(a) **Disclaimers, Liability Exclusions/Limitations and Disputes:** The agreements (including any website terms of use) that you accept when you apply, register for, order or use WEX's products and services including provisions disclaiming, limiting or excluding the liability of WEX and other persons (including service providers) and provisions determining the applicable law and jurisdiction for the resolution of disputes. To the extent permitted by applicable law, each of those provisions applies to any dispute that may arise in relation to this Privacy Statement or WEX's collection, use, disclosure and retention of your personal information, and are of the same force and effect as if they were reproduced directly in this Privacy Statement. Nothing in this Privacy Statement amends any of those other agreements.

(b) **Changes to this Privacy Statement:** WEX may change this Privacy Statement from time to time and without any notice to you by posting a new version of this Privacy Statement on the WEX website. WEX's collection, use, disclosure and retention of your personal information will be governed by the version of this Privacy Statement in effect at that time. Your continued dealings with WEX after any change to this Privacy Statement will signify your consent to the collection, use, disclosure and retention of your personal information by or on behalf of WEX as set out in the changed Privacy Statement. Accordingly, you should check the "Last Updated" date of this Privacy Statement (at the top of this Privacy Statement) and review any changes since the last version.

(c) **English Language:** You and WEX have each expressly requested and required that this Privacy Statement and all other related documents be drawn up in the English language. Les parties conviennent et exigent expressément que cette Politique de Confidentialité et tous les documents qui s'y rapportent soient rédigés en anglais.

(d) **Notices to You:** You consent to WEX sending you emails (to the email addresses you provide to WEX) regarding this Privacy Statement and related matters and as otherwise permitted by applicable law.

## 16. Contacting WEX

If you have any comments or questions about this Privacy Statement or how WEX handles your personal information, please contact WEX's Privacy Officer by mail or email at: WEX Pharmaceuticals Inc., 1100 Melville St Suite 1150, Vancouver, BC V6E 4A6; email: [privacyofficer@wexpharma.com](mailto:privacyofficer@wexpharma.com).

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