Roche Directive

on

the Protection of Personal Data

PREAMBLE

As a Group that operates around the globe, Roche uses systems in all sectors to process data and to exchange data between units within the Group and with third parties. Increasing economic and scientific cooperation and the mutual provision of data-processing services also entails the exchange of personal data, a trend reinforced by the increasing use of modern telecommunications resources. Therefore, it is necessary that personal data are carefully processed. The European Union ("EU") prohibits the transfer of personal data outside the EU unless there is an adequate level of protection on the side of the recipient of the personal data.

1. UNDERTAKING

Roche declares that compliance with data protection principles in the processing of personal data (e.g. data on customers, suppliers and employees) is a corporate objective. As such, Roche is committed to respect the personality rights and privacy of these individuals.

As a healthcare Group, Roche treats personal medical data (e.g. data collected in connection with clinical trials) with special care.

2. OBJECTIVES

In adopting the present Roche Group Directive on the Protection of Personal Data ("Directive"), Roche is pursuing three objectives. First, the Directive establishes a uniform minimum standard to be applied by all Roche companies in processing personal data and to lay down a basis for contractual agreements with third parties. Secondly, the Directive provides preventive safeguards against the infringement of personality and privacy rights through the inappropriate processing of personal data. Thirdly, the Directive provides an adequate level of protection of personal data as required by the EU.

3. DEFINITIONS

For the purpose of this Directive the following definitions apply:

Data subject shall mean any natural person whose personal data are processed by or on behalf of Roche.

Personal data shall mean any information that relates to an identified or identifiable natural person and that is an expression of or about the person's physical, physiological, psychological, mental or economic status and cultural or social identity.

Processing shall mean any operation or set of operations performed on personal data, including but not limited to collection, recording, storage, alteration, analysis, use, transmission, combination, blocking, erasure and destruction.

4. APPLICATION

This Directive applies to all Roche companies and their employees.

Where personal data are processed on Roche's behalf by third parties, appropriate measures shall be taken to ensure the compliance of said third parties with the principles set forth in this Directive.

National legislation providing for more comprehensive safeguards of personal data shall also be observed in all specific instances where such legislation applies.

5. PRINCIPLES

In general, data revealing a data subject's racial or ethnic origin, political views, religious or philosophical convictions or an affiliation with an organization that represents the interests of employees are to be classed as highly sensitive, as are data on a subject's health or sexual behaviour. All personal data must be processed lawfully. In particular, the following principles apply:

5.1 Criteria of lawfulness

- Personal data may be processed if at least one of the following applies:
  - the data subject has given consent;
  - processing is necessary for the performance of a contract of which the data subject is party;
  - processing is necessary for compliance with a legal obligation;
  - Roche is pursuing a legitimate interest, except where such interest is overridden by the interest of the data subject concerned.

5.2 Principles relating to processing

- Personal data must be processed in a manner compatible with the purpose for which they were collected.

- The principle of proportionality shall apply to the processing of personal data. Among other things, this implies a duty to refrain from collecting unnecessary personal data.

- Personal data that are used shall be accurate and kept up to date.

- Personal data that are used and that are no longer accurate or complete shall be corrected or deleted.

- Subject to legal provisions that require a longer retention period, personal data are to be stored no longer than is necessary to effect the purposes for which they were collected or processed.

- Personal data are to be processed in a manner at all times consistent with the principle of good faith. This means that data subjects can rely on processors to exercise due care in all aspects of data processing.

6. RIGHTS OF DATA SUBJECTS

Persons from whom personal data have been processed are to be accordingly informed upon request. In particular, they have a right to be informed of the purposes for which the data are being processed, the category of data involved and the identity of the recipients of the data. Where appropriate, data subjects also have a right to require that data be corrected, blocked or deleted.

The aforementioned rights may be restricted only where such restriction is provided for by law. This applies, in particular, to the conduct of scientific research.

7. MEASURES

The companies of the Roche Group are to implement the technical and organizational measures necessary to ensure the security of personal data.

In particular, personal data are to be protected against unauthorized disclosure and any form of unlawful processing. The measures implemented must ensure a level of security appropriate to the nature of the data to be protected and the risks arising from processing the data.

Compliance with Roche's IT Security Policy and other pertinent internal security requirements is mandatory.

8. IMPLEMENTATION

All individual Roche companies are responsible for implementing and enforcing compliance with this Directive.

Roche employees involved in processing personal data are to be appropriately informed.

The procedures for third-party processing of personal data pursuant to a contractual agreement are to be defined in writing. The relevant Roche company shall satisfy itself that the contracted third party is processing the data properly and that it is complying with the principles set forth in this Directive. If at any time a third party is determined to be unable to ensure the adequate security of personal data, Roche shall terminate the collaboration.

9. EFFECTIVE DATE

The present Directive was adopted by the Corporate Executive Committee on 11 September 2000, and went into effect on that date.