

Privacy notice for applicants of X4 Pharmaceuticals (Austria) GmbH in accordance with Article 13 of the General Data Protection Regulation ("GDPR")

In the following, X4 Pharmaceuticals (Austria) GmbH (hereinafter referred to as "X4") informs its applicants about the collection of their personal data (all information that relates directly or indirectly to you and identifies you or makes you identifiable) and how they are processed.

1. Data processing in the course of the application process

We process the personal data that you provide to us in the course of your application (hereinafter referred to as "application data") exclusively for the following purposes:

- Conducting the application process (receipt of applications, determination of suitability, refusal or invitation to interviews) and
- (in case of recruitment) for onboarding into the organization of X4 or (in case of rejection) for keeping of records of rejected applicants (this, however, exclusively based on a separately given consent).

Please note that we cannot know in advance what personal data you will provide us with as part of your curriculum vitae, your letter of application, and your further application documents. Particularly a photograph may allow conclusions to your racial or ethnic origin, religious or philosophical beliefs, or health (e.g. skin color, headgear, glasses etc.). Therefore, please only provide us information that is usually necessary in the context of an application process.

2. Legal Basis

The processing of your applicant data described in clause 1 is based on the following legal basis:

- Performance of a contract or to take steps prior to entering into a contract (Art. 6 para. 1 lit. b GDPR);
- Legitimate interests (Art. 6 para. 1 lit. f GDPR): in relation to (i) the transfer of applicant data of selected applicants to our parent company for final evaluation or (ii) possible enforcements, executions or defenses of legal claims (e.g. Gleichbehandlungsgesetz);
- Given consent (Art. 6 para. 1 lit. a GDPR) in the context of keeping rejected applicants on file for future job considerations.

3. Recipients

Within X4, your personal data will only be processed by our Human Resources department and the managers responsible for the vacancy. As a matter of principle, we do not transfer your applicant data to third parties with the following exceptions:

- we forward your candidate data internally to the Human Resources department of our parent company X4 Pharmaceuticals, Inc., 955 Massachusetts Ave, Cambridge, MA 02139, USA, for the purpose of evaluation;

- if applicable, we may forward your application data to an external hiring consultant for the purpose of final evaluation and conclusion of the contract;
- in case of possible enforcements, executions or defenses of legal claims, your application data may be transferred to legal representatives, courts or competent administrative authorities.

4. Recipients outside Austria

Data will only be transferred to our parent company X4 Pharmaceuticals, Inc. based in the USA with whom we have concluded standard contractual clauses according to the decision of the European Commission dated June 4, 2021 (2021/914/EC).

As far as we engage external hiring consultants they are generally located in Austria, sometimes in other Member States of the European Union. In the exceptional case the engaged external consultant is located in the USA we will provide separate information prior to forwarding your application data. In any case we have concluded processor agreements or standard contractual clauses with our external hiring consultants.

To operate the application platform, Automatic Data Processing, Inc., One ADP Boulevard, Roseland, NJ 07068-1728 USA, acts as our data processor, who only processes data on behalf of us and is contractually bound (as a sub processor of X4 Pharmaceuticals, Inc.).

5. Storage period

Your personal data will be stored for the duration of the current application process for the specific vacancy.

If the application process ends due to rejection or withdrawal of your application, your personal data will be irretrievably deleted or anonymized (removal of any personal reference in such a manner that you are no longer identifiable) **seven months** after the end of the month in which the application process ended for one of the above reasons. The period of seven months is a result of possible enforcements, executions or defenses of legal claims (e.g. Gleichbehandlungsgesetz).

If you have given your consent to keep your personal data for the communication of further job offers, this processing take place until **withdrawal**. After your revocation, your data will be irretrievably deleted or anonymized (removal of any personal reference in such a manner that you are no longer identifiable) at the end of the month in which the withdrawal takes place - but not before the end of the seven-month period described in the previous paragraph.

If you submit a separate declaration of consent, this privacy notice also serves as a supplementary basis for the declaration of consent you have submitted.

6. Rights of the data subject

Provided that the legal requirements are met, you have the following rights with regards to the applicant personal data processed by us:

- the right to obtain information in accordance with Art. 15 GDPR;
- the right to obtain the rectification of inaccurate personal data in accordance with Art. 16 GDPR;
- the right to obtain the erasure of personal data in accordance with Art. 17 GDPR;
- the right to obtain the restriction of processing in accordance with Art. 18 GDPR;
- the right to transmit your personal data in accordance with Art. 20 GDPR;
- the right to object in accordance with Art. 21 GDPR;
- the right to withdraw your given consent at any time, using the contact data listed in Section 7, in accordance with Art. 7 GDPR. The withdrawal of consent has no influence on the lawfulness of processing based on consent before your withdrawal;
- the right to lodge a complaint with a supervisory authority according to Art. 77 GDPR. In Austria the "Datenschutzbehörde" based in Vienna is competent.

7. Further information obligations according to Article 13 GDPR

- Data controller:
X4 Pharmaceuticals (Austria) GmbH
Helmut-Qualtinger-Gasse 2
1030 Vienna, Austria
Tel: +43 1 395078300
E-Mail: careers-vienna@x4pharma.com
- Please address all enquiries regarding data protection and privacy matters, including requests to exercise your statutory rights to our external Data Protection Officer:
RA Hon.-Prof. (FH) Mag. Sascha Jung, LL.M. LL.M.
Jank Weiler Operenyi Rechtsanwälte GmbH
Hohenstaufengasse 9, 1010 Vienna, Austria
E-Mail: privacy.x4@jankweiler.at
- The provision of your personal data is not required by statutory or contractual requirements. You are not obliged to provide us with your personal data. Without the provision of your personal data, we are unable to consider your application for our vacancy.
- There is no automated decision-making, including profiling. Where we intend to further process your personal data for a purpose other than that for which the personal data were collected, we will provide you prior to that further processing with the necessary information.