



## Data Protection Notice for Shareholders of ElringKlinger AG

In this document, you will find information about the collection and processing of your personal data by ElringKlinger AG (ElringKlinger) in connection with your stock purchase and about your rights under data protection law.

### Introduction

Protecting personal data is important to ElringKlinger. ElringKlinger will therefore handle your personal data in accordance with the provisions of the European General Data Protection Regulation (GDPR), the German Federal Data Protection Act (*Bundesdatenschutzgesetz – BDSG*), and the German Stock Corporation Act (*Aktiengesetz – AktG*) as well as in accordance with other applicable legal provisions relating to the protection of personal data and data security.

### 1. Data controller

ElringKlinger AG  
Max-Eyth-Straße 2  
72581 Dettingen/Erms  
Germany  
Tel. +49 (0)7123 724-0  
Fax +49 (0)7123 724-9006

Data controller contact details: either by mail to the address above or by e-mail to [M.Kreder@tmd-secure.de](mailto:M.Kreder@tmd-secure.de)

### 2. Purpose of processing, data categories, and legal basis for processing

ElringKlinger shares are registered shares. On your behalf, the banks involved in the purchase or custody of your ElringKlinger registered shares regularly forward us the information we need to maintain the share register. This comprises the information required under Section 67 AktG, such as the shareholder's name, date of birth, address, and nationality. The data is provided to us via Clearstream Banking Frankfurt (CBF). As the central securities depository, CBF handles the technical processing of securities transactions and provides custodial services for the banks concerned. If you sell your shares, this is also reported to us via Clearstream Banking.

We use your personal data for the purposes provided for in the Stock Corporation Act. In particular, these include (i) maintaining the share register, (ii) communicating with you as a shareholder, and (iii) conducting Annual General Meetings. For example, should you exercise your right to participate in our Annual General Meeting (AGM), we require your name as well as information on the number of shares you hold in order to provide you with the necessary voting documents.

This information will also later appear in the register of participants, which we are required by law to maintain. Should you request an addition to the agenda or wish to make counter motions or proposals for election, we are obligated to publish your name, subject to certain conditions.

We will only use your data for purposes commensurate with the above purposes (i) – (iii) (in particular, for the generation of statistics, e.g., to show changes in the number of shareholders and the number of transactions, or to provide overviews of the largest shareholders).

The legal basis for the processing of your personal data is provided by the Stock Corporation Act in conjunction with Article 6(1)(c) GDPR. We may also process your personal data to fulfill other legal obligations, e.g., to fulfill supervisory requirements or retention obligations under stock corporation, commercial, or tax law.

In individual cases, we may also process your data to protect our legitimate interests in accordance with Article 6(1)(f) GDPR. This applies, for example, in the case of capital increases, if we are required under securities legislation in countries outside Europe to exclude certain shareholders from information regarding preemptive rights offerings on the grounds of their nationality or country of residence.

If you have supplied us with your e-mail address to allow us to send you AGM documents electronically, we may process this information with your consent in accordance with Article 6(1)(a) GDPR. You may withdraw this consent at any time without specifying a reason.

If you request admission tickets to the AGM for someone representing you, you must inform that person of the data collected by ElringKlinger. ElringKlinger will collect the data of your representative solely for the purposes of sending the admission tickets and enabling your representative to participate in the AGM and to exercise the rights this entails, especially voting rights.

Should we process your personal data for any purpose other than those set out above, we will inform you in advance accordingly as required by law.

### **3. Transmission and forwarding of personal data**

#### **a) External service providers**

We partly rely on third-party service providers for the management and technical implementation of the share register (share register service company, IT service providers) and for the organization of AGMs (AGM service providers, printing and distribution providers for shareholder communications).

The ElringKlinger online service is provided and operated on behalf of ElringKlinger AG by Computershare Deutschland GmbH & Co. KG, Elsenheimerstr. 61, 80687 Munich (“Computershare”). In this application, your personal data is collected, processed, and used on behalf of ElringKlinger solely for the purposes contractually agreed between ElringKlinger AG and Computershare. Computershare does not use your personal data for its own purposes.

#### **b) Other recipients**

Should you participate in the Annual General Meeting, under the provisions of Section 129 AktG other ElringKlinger shareholders may view the personal data about you recorded in the register of participants. We may also send your personal data to other recipients such as the authorities concerned with statutory reporting obligations (e.g., where legally prescribed voting right thresholds are exceeded). Personal data may only be forwarded to service providers outside the EU or EEA if the European Commission has confirmed that the third country has an adequate level of data protection or if other adequate data protection guarantees are in place (e.g., binding corporate rules or the European Commission’s standard contractual clauses). Detailed information on this and on the level of data protection offered by our service providers in third countries can be obtained by contacting us at the address provided in section 1.

#### **4. Retention periods**

As a rule, we anonymize or delete personal data as soon as it is no longer required for the purposes described above, except where we are required by law to keep it for a longer period (e.g., by retention obligations under the German Stock Corporation Act, German Commercial Code (*Handelsgesetzbuch*), or German Fiscal Code (*Abgabenordnung*). The standard retention period for data collected in connection with Annual General Meetings is up to three years.

The data kept in the share register must generally be retained for ten years following the sale of the shares. In individual cases, we may also retain personal data where this is required in connection with claims made against our company (statutory limitation period of up to 30 years).

#### **5. Right of objection**

You have the right to object, on grounds relating to your particular situation, to the processing of personal data relating to you that is collected pursuant to Article 6(1)(f) GDPR (protection of legitimate interests).

Should you register your objection, we will discontinue such processing unless it serves an overriding legitimate interest on our part.

## **6. Your rights: Information, rectification, erasure and data portability**

You may request information about the personal data ElringKlinger AG holds on you by contacting us at the address provided in section 1. Under certain conditions, you may also request the erasure of your data or the restriction of its processing (e.g., if your data is being processed illegitimately). Furthermore, you have a right to data portability.

## **7. Right of complaint**

You may contact our data protection officer (see section 1) or a data protection authority with any questions or complaints.

The applicable data protection authority for ElringKlinger AG is:

Landesbeauftragter für Datenschutz  
und Informationssicherheit Baden-Württemberg  
Königstraße 10a  
70173 Stuttgart  
Tel.: +49 (0)711 615541-0  
E-mail: [poststelle@fdi.bwl.de](mailto:poststelle@fdi.bwl.de)