

## Information on data protection regarding the Annual General Meeting

### 1) General information

#### a) Introduction

FUCHS PETROLUB SE ("FUCHS," "We," "Us," "Our") is firmly committed to protecting your data. The following remarks will provide you with information about the collection and processing of your personal data and your rights in this regard under Regulation (EU) 2016/679 (General Data Protection Regulation - GDPR), the German Federal Data Protection Act (BDSG), Regulation (EC) No. 2157/2001 on the Statute for a European Company (SE-Reg.), the German SE Implementation Act (SEAG), the German Stock Corporation Act (AktG) and the German Act on Measures under Corporate, Cooperative, Association, Foundation, and Residential Property Law to Combat the Effects of the COVID-19 Pandemic of March 27, 2020, as amended by the German Act on the establishment of a special relief fund, "Aufbauhilfe 2021" ("2021 Reconstruction Aid") and on the suspension of the requirement to file for insolvency for businesses affected by heavy rainfall and flooding in July 2021 as well as amending other laws (*Gesetz zur Errichtung eines Sondervermögens „Aufbauhilfe 2021“ und zur vorübergehenden Aussetzung der Insolvenzantragspflicht wegen Starkregenfällen und Hochwassern im Juli 2021 sowie zur Änderung weiterer Gesetze*) of September 10, 2021 (the "COVID-19 Act") in relation to the preparation, performance, and follow-up of the Annual General Meeting of FUCHS as a virtual Annual General Meeting without the physical presence of the shareholders and proxies.

The entire Annual General Meeting will be broadcast online in real time ("livestreamed") via the **InvestorPortal**. The **InvestorPortal** is accessible only to shareholders and their proxies who have the required access details, as well as to FUCHS, to any service providers of FUCHS that are employed for the implementation of the Annual General Meeting, and to representatives of radio, print, or online media ("journalists") who have been admitted by FUCHS. The **InvestorPortal** is available online at [www.fuchs.com/annualmeeting](http://www.fuchs.com/annualmeeting); in addition to the information in this document, please also note the data privacy information that is available at this address from the operator of the website.

#### b) Data processing controller as defined in Art. 4 No. 7 GDPR

FUCHS PETROLUB SE  
Friesenheimer Str. 17  
68169 Mannheim, Germany

Telephone: +49 621 3802-0

Email: [kontakt@fuchs.com](mailto:kontakt@fuchs.com)

Website: <https://www.fuchs.com/group>

#### c) Contact information for the data protection officer

Dr. Karsten Kinast, LL.M.  
KINAST Rechtsanwaltsgesellschaft mbH  
Hohenzollernring 54  
50672 Cologne, Germany  
Email: [mail@kinast-partner.de](mailto:mail@kinast-partner.de)

## 2) Personal data affected

We process the following personal data of participating shareholders and proxies; not all of the personal data listed is processed for all of the data subjects listed.

- Full name
- Address
- Phone number
- Email address
- Number of shares, share class, and type of shareholding
- Access details for entry to the **InvestorPortal**
- Any voting rights issued to a proxy

If shareholders or their proxies get in touch with us ("query"), we will also process the personal data that is given to us in the context of the query and that is needed in order to answer the query (e.g. the contact details such as email address or telephone number given by the shareholder or proxy). Where necessary we will also process information about motions, questions, objections, nominations, and requests from shareholders or their proxies in the Annual General Meeting.

Please note there is a possibility that your personal data included in your inquiries – particularly your name – may be shared openly during the meeting in accordance with this privacy statement, and thus may also be observed by the journalists in attendance. In the context of answering questions, the Executive Board reserves the right to specify the shareholder asking the question by name or to state personal data openly during the meeting, provided the shareholder asking the question consented to being mentioned by name when the question was submitted or that one of the justifications stated in Section 3 (last paragraph) below exists.

If we do not receive the above data directly from the respective shareholder, it will be provided to us by custodian banks / intermediaries.

## 3) Purpose and legal basis of data processing

We process the personal data for the following purposes:

- For participation in, preparation for, and performance of the Annual General Meeting (such as review of the applications for registration for the Annual General Meeting, sending the access details for the **InvestorPortal**).
- To fulfill the requirements under stock corporation law (such as for creating the list of participants, for meeting documentation requirements).
- To allow the exercise of shareholder rights (e.g. ability to ask questions electronically, voting via electronic absentee ballot, responses to inquiries).
- To communicate with the authorized shareholders and proxies of the Annual General Meeting.
- To prevent and identify illegal activities.

The legal basis for processing personal data includes the provisions of SE-Reg. (Art. 52 et seq.) and the stock corporation laws (Sections 118 et seq. AktG), including Section 1 of the COVID-19 Act, each in conjunction with Art. 6 (1) Sentence 1 c) GDPR.

In addition, we will process personal data to comply with legal requirements under supervisory, tax, and commercial law. Art. 6 (1) Sentence 1 c) GDPR is also the legal basis here.

We will also process personal data to safeguard legitimate interests, such as preparing the Annual General Meeting and ensuring that the Annual General Meeting runs smoothly,

or complying with securities trading regulations of non-European countries. The legal basis for data processing in these cases is Art. 6 (1) Sentence 1 f) GDPR. If you provide us with personal data in connection with a query, the legal basis for processing this data for the purposes of replying is Art. 6 (1) Sentence 1 a) GDPR.

When FUCHS is answering questions, the name of the shareholder asking the question may be specified if the relevant shareholder asking the question has consented to this, a statutory obligation to do so exists, or doing so is necessary in order to answer the question or is otherwise in the legitimate interest of the company (legal basis: Art. 6 (1) Sentence 1 a), c), and/or f) GDPR).

#### **4) Other recipients of the personal data**

Access to the **InvestorPortal** and therefore the livestream is granted only to FUCHS, to any service providers employed by FUCHS to implement the virtual Annual General Meeting, and to shareholders, proxies, and journalists that have been granted permission to participate by FUCHS and have access details.

For organizing and conducting the Annual General Meeting, we sometimes use external service providers in the EU (e.g. Annual General Meeting services, IT services, banks, notaries, attorneys) who, where necessary, are obliged under data processing agreements to abide by data protection laws according to Art. 28 GDPR. FUCHS will only transmit the personal data to these service providers that is required in order to deliver the contracted service and will only process the data on our behalf and according to our instructions. In these cases, FUCHS remains responsible for protecting your personal data.

We may be obliged to transmit personal data to other recipients who process the personal data under their own responsibility (Art. 4 No. 7 GDPR), in particular to public authorities such as the competent supervisory authority.

If we forward personal data to providers outside the European Economic Area (EEA), this will require the third country to have a suitable level of data protection verified by the EU Commission or to provide other suitable data protection guarantees (e.g. binding internal corporate data protection guidelines or an agreement with the standard contractual clauses of the EU Commission).

We have no influence over the manner in which personal data that is disclosed at the Annual General Meeting in accordance with this privacy statement is processed by the journalists in attendance. We are not the controller in this regard as defined under the GDPR.

#### **5) Storage period**

The storage period for the personal data processed in connection with the Annual General Meeting is usually up to three years. We anonymize or delete this personal data as long as it is no longer required for the above purposes. This does not apply if and when we are bound by legal proof and storage obligations (e.g. in the AktG, the German Commercial Code (HGB), or in the German Tax Code (Abgabenordnung)) to store the data for longer or if the data is pertinent to judicial or extra-judicial proceedings, such as in the case of actions for annulment and rescission; in these cases we will store the data for as long as the proof and storage obligations apply or until the legally effective or otherwise final conclusion of the relevant proceedings, including any enforcement proceedings.

## 6) Your rights according to the GDPR

You can contact our data protection officer or us directly with an informal message at any time and free of charge to exercise your rights according to the GDPR if the relevant conditions are met. According to this, you have the right:

- pursuant to Art. 15 GDPR, to request information about your personal data processed by us. In particular, you can request information about the processing purposes, the category of the personal data, the categories of recipients to whom your data was or will be disclosed, the planned storage period, the existence of a right of correction, deletion, restriction of processing or objection, the existence of a right to complain, the origin of your data if it was not collected by us, and about the existence of automated decision-making, including profiling and possibly meaningful information about the details thereof;
- pursuant to Art. 16 GDPR, to demand the correction of inaccurate or completion of your personal data stored with us;
- pursuant to Art. 17 GDPR, to demand the deletion of your personal data stored with us, provided that processing is not required in order to exercise the right to freedom of expression and information, to fulfill a legal obligation, for reasons of public interest, or to assert, exercise, or defend legal claims;
- pursuant to Art. 18 GDPR, to demand that the processing of your personal data be restricted, if you contest the accuracy of the data (the restriction then applies for the duration of the review), if processing takes place unlawfully and you refuse deletion, if we no longer require the personal data but you still need it to assert, exercise, or defend legal claims, or if you filed an objection to the processing pursuant to Art. 21 (1) GDPR (while the legitimacy of the objection is being reviewed);
- pursuant to Art. 20 GDPR, to be given your personal data that you provided to us, in a structured, standard and machine-readable format, or to demand that it be sent to another person responsible;
- pursuant to Art. 7 (3) GDPR, at any time to revoke the consent that you have given us. As a result, in future we will not be able to continue the data processing that relied on this consent and
- pursuant to Art. 77 GDPR, to complain to a supervisory authority. See No. 7 for further information on this.

## 7) Right of complaint

If you have any questions or complaints, you can contact our data protection officer (see No. 1 c)) or a data protection supervisory authority (Art. 77 GDPR).

The data protection supervisory authority responsible for FUCHS is:

State Commissioner for Data Protection and Freedom of Information Baden-Württemberg  
PO Box 10 29 32, 70025 Stuttgart  
Königstrasse 10a, 70173 Stuttgart  
Telephone: +49 711 61 55 41 – 0  
Email: [poststelle@lfdi.bwl.de](mailto:poststelle@lfdi.bwl.de)  
Internet: [www.baden-wuerttemberg.datenschutz.de](http://www.baden-wuerttemberg.datenschutz.de)