

## VARTA AKTIENGESELLSCHAFT

Information for shareholders and their representatives with regard to data protection in connection with the processing of personal data by VARTA Aktiengesellschaft ("**the Company**") for the purposes of holding the Annual General Meeting

### **Party responsible for data processing**

As the party responsible within the meaning of data protection regulations, the Company can be contacted at the following address:

VARTA AKTIENGESELLSCHAFT  
FAO Ms Julia Weber  
VARTA-Platz 1  
73479 Ellwangen  
Germany  
Email: Julia.Weber@varta-ag.com

### **Purpose and legal basis for data processing**

In order to hold the Annual General Meeting on 11 July 2023, the Company will process personal data (in particular, names, addresses, email addresses and potentially also additional contact details for shareholders, number of shares, type of share ownership, access card number and code, if applicable, name and address of the shareholder representative authorised by the respective shareholder) on the basis of the applicable data protection regulations of, in particular, the General Data Protection Regulation (**GDPR**), the German Stock Corporation Act (**AktG**) and all other relevant legal provisions. This processing is carried out exclusively for the purposes provided for in the German Stock Corporation Act, including communication with shareholders and the implementation of annual general meetings. The Company processes data provided by shareholders when registering for the Annual General Meeting or data transmitted to the Company on behalf of the shareholders by their custodian banks for this purpose. Shareholders can also exercise their rights at the virtual Annual General Meeting by way of a proxy. In this case, the personal data of the shareholder specified in issuing the proxy and the personal data of the proxy themselves (first name(s) and surname, place of residence or address, email address) will be processed.

This encompasses the following processing operations:

Personal data processed in connection with the Annual General Meeting on 11 July 2023 serves the purpose of processing the registration and participation of shareholders at the Annual General Meeting (e.g., verifying eligibility to participate) and to enable shareholders to exercise their rights at the Annual General Meeting (including voting, the issue, revocation and proof of proxies and instructions, as well as objecting to resolutions at the Annual General Meeting). If shareholders fail to provide the relevant data, they will not be entitled to attend the Annual General Meeting and exercise their voting rights and other rights related to the Annual General Meeting.

As part of the shareholder registration process for the Annual General Meeting, the Company processes the data required for this, which is either provided by the shareholder or transmitted by their custodian bank for this purpose (in particular first and last name, address, number of shares, share class, access card number and type of share ownership).

For cases where voting rights are represented by the proxies appointed by the Company in accordance with Section 129 AktG, the Annual General Meeting shall maintain a list of participants that contains the following personal data: first name(s) and surname, place of residence of the shareholder represented and their proxy, number of shares, share class, number of voting rights and type of share ownership.

Where shareholders submit a request for items to be added to the agenda, the Company shall announce these items, stating the name of the shareholder, if the requirements for this are met pursuant to the provisions of the German Stock Corporation Act (AktG). Likewise, the Company will publish counter motions and election nominations on the part of shareholders online, again stating the name of the shareholder (in this context,

please also refer to the detailed explanations under Sections 122 (2), 126 (1) and 127 AktG in the invitation to the Annual General Meeting), provided that the requirements of the provisions of AktG are met. In accordance with the provisions of AktG, statements submitted by shareholders in advance of the Annual General Meeting are published via the password-protected online service.

If you exercise the right to speak and information by way of video communication and other shareholder rights during the Annual General Meeting, in particular to object electronically to resolutions of the Annual General Meeting, we will process your personal data (name and address, in addition to access card number and code) in order to answer your question or lodge your objection.

The legal basis for the data processing operations described above are the provisions of the German Stock Corporation Act (AktG) (in particular Section 67e AktG and Section 118 et seq. AktG) in connection with Art. 6 (1) (c) of the General Data Protection Regulation (GDPR). The processing of the personal data outlined above is required in each case in order to comply with the Company's statutory obligations.

Moreover, your personal data may also be processed to fulfil additional legal obligations such as supervisory requirements and storage obligations under stock corporation, commercial and tax law. In such cases, the legal basis is again provided by Art. 6 (1) (c) GDPR in conjunction with the respective statutory regulations.

The processing of the personal data outlined above is essential for the proper preparation, implementation and follow-up of the Annual General Meeting. If shareholders fail to provide the relevant data, they or their proxies will not be entitled to attend the Annual General Meeting and exercise their voting rights and other rights related to the Annual General Meeting.

In individual cases, your data will be processed to protect our legitimate interests or those of a third party in accordance with Art. 6 (1) (f) GDPR. For example, this may be the case when your personal data is processed to generate internal statistics (e.g., to depict shareholder development, to show the number of transactions or to provide an overview of the major shareholders).

Where the Company intends to process your personal data for another purpose, you will be informed of this in advance in line with the legal regulations.

The Company neither uses any purely automated decision-making process in the context of Art. 22 GDPR, nor does it rely on any form of profiling.

### **Use of cookies**

Cookies are in place when using the website of the Shareholder Portal. The purpose of these cookies is to personalize the website for the user's visit and to enhance the experience when using the website. Cookies are small text files that the website transfers to the cookie store of the internet browser on the user's device and stores there for later access, so that the user can be identified the next time he or she visits the website.

Only technically necessary cookies are deployed on the website of the shareholder portal to store server log files. These include:

- Name of the requested file;
- Date and time of the request;
- Message as to whether the request was successful;
- Description of the type of web browser used;
- Referrer URL (the previously visited website);
- Host name of the accessing computer (IP address).

This data is only stored for the duration of the respective visit of the shareholder portal and will then be deleted.

The legal basis for the processing of personal data associated with this is the legitimate interest of VARTA Aktiengesellschaft in operating the shareholder portal and granting shareholders access pursuant to Art. 6

(1) f) GDPR. This data is only stored for the duration of the respective visit to the shareholder portal and is then deleted.

### **Categories of recipients of personal data**

External service providers: service providers commissioned by the Company for the purpose of carrying out the Annual General Meeting only receive personal data from the Company that is necessary for the performance of the commissioned service and process the data exclusively in accordance with the Company's instructions pursuant to Art. 28 GDPR.

Shareholders/third parties: your personal data will be published in accordance with the legal regulations as part of requests for additions to the agenda, countermotions or election nominations that must be made public. Within the framework of the statutory right to inspect the list of participants due to attend the Annual General Meeting, shareholders can request access to the data recorded in the list of participants for a period up to two years after the Annual General Meeting. The list of participants will also be made available to participants at the Annual General Meeting via the Company's password-protected online service.

Other recipients: In line with the legal regulations, we may be obligated to transfer your personal data to other recipients, such as authorities and courts.

The Company does not intend to transmit your personal data to recipients based in third countries.

### **Duration of storage of personal data**

In principle, we delete or anonymise your personal data as soon as and to the extent that it is no longer needed for the purposes cited in this document, unless we are obligated to provide evidence and/or obligated to store this data by law for a further period of time (in accordance with the German Stock Corporation Act, the Commercial Code, the Tax Code or other legal provisions). For the data recorded in connection with Annual General Meetings, the storage period (subject to special legal requirements) is regularly up to three years, unless further processing is necessary in individual cases in connection with claims asserted against or on the part of VARTA AKTIENGESELLSCHAFT (statutory limitation period of up to 30 years). As soon as we are made aware that you have sold your shares, we shall only continue to store your personal data for a maximum period of twelve months, subject to other legal regulations.

### **Your rights under data protection law**

Shareholders and shareholder representatives have the right to request information about their personal data and a copy of this data (Art. 15 GDPR - Right of access by the data subject), the right to rectification of their personal data (Art. 16 GDPR), the right to erasure of their personal data (Art. 17 GDPR - Right to "be forgotten") and the right to restriction of processing of their personal data (Article 18 GDPR). Shareholders and shareholder representatives also have the right to contact the responsible data protection supervisory authority regarding the processing of their personal data (Article 77 GDPR - Right to lodge a complaint with a supervisory body). However, legal obligations to which the Company are subject may ultimately take precedence over any requests for erasure or restriction of processing. **Shareholders also have the right to object to the processing of their personal data if this is carried out solely to protect the legitimate interests of the Company (Art. 21 GDPR).**

Shareholders and shareholder representatives can contact the Company's data protection officer to lodge a complaint with regard to the processing of their personal data:

Mein-Datenschutzbeauftragter.de  
Herr Philipp Herold  
Tel.: +49 451 - 16 08 52 -21  
Email: [datenschutz@varta-ag.com](mailto:datenschutz@varta-ag.com)

Further information on data protection for shareholders can be accessed on the Company's website at: <https://www.varta-ag.com/investor-relations/datenschutz/>

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