

## **Information on the processing of personal data for shareholders and shareholder representatives regarding the virtual Annual Stockholders' Meeting of LANXESS Aktiengesellschaft 2023**

Compliance with the provisions of data protection law is very important to LANXESS Aktiengesellschaft. In the following, we would like to inform our shareholders and shareholder representatives about the processing of their personal data in the light of our virtual Annual Stockholders' Meeting and their rights under data protection law.

For more information on data privacy, is available for stockholders and their representatives at: <https://lanxess.com/en/Mandatory-Information/Privacy-Statements>.

### **Controller**

The controller responsible for the processing of personal data is LANXESS Aktiengesellschaft, Kennedyplatz 1, 50569 Cologne.

For comments and questions on the processing of personal data, stockholders or their representatives may contact the data protection officer of LANXESS Aktiengesellschaft at:

LANXESS Aktiengesellschaft  
Data Protection Officer  
Kennedyplatz 1  
50569 Cologne  
E-mail: [datenschutz@lanxess.com](mailto:datenschutz@lanxess.com)

### **Purposes and legal bases for processing**

LANXESS Aktiengesellschaft is the controller in charge of processing personal data of stockholders (last and first names, address, e-mail address, number of shares, type of share ownership and registration number) and if necessary any personal data of the stockholder representatives in accordance with the EU General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG), the German Stock Corporation Act (AktG) and other relevant legislation.

LANXESS Aktiengesellschaft generally receives stockholders' personal data via the registration office from the last intermediary, who keeps custody of the shares on behalf of the shareholder. In some cases, LANXESS Aktiengesellschaft can also receive personal data directly from the stockholders. The personal data of stockholders and stockholder representatives (e.g. in the case of position statements on the agenda submitted in advance, motions for addendum to the agenda, objections filed or requests to speak) is required by law for the proper preparation, performance and follow-up of the virtual Annual Stockholders' Meeting, for stockholders or stockholder representatives to exercise their voting rights, and for taking part in the Annual Stockholders' Meeting via livestream. The legal basis for processing is Article 6 Para. 1 Sentence 1 c) GDPR in conjunction with Section 67e, Sections 118 et seq., Section 130a AktG.

Furthermore, data processing that is needed to organize the virtual Annual Stockholders' Meeting is permitted on the basis of overriding legitimate interests (Article 6 Para. 1 Sentence 1 f) GDPR).

LANXESS Aktiengesellschaft also reserves the right to record the functional test of the video communication in video and audio for documentation purposes. The legal basis for this data processing is Article 6 Para. 1 Sentence 1 Letter f) GDPR (overriding legitimate interests). LANXESS Aktiengesellschaft deletes the video and audio recordings once they are no longer

required for the purpose for which they were collected and if there are no other statutory retention requirements.

LANXESS Aktiengesellschaft may process the personal data of stockholders and stockholder representatives in order to fulfill further statutory obligations such as regulatory requirements or retention obligations under securities law, commercial law, and/or tax law.

Operation of the stockholder portal requires cookies to be stored on the device used to access the portal. The legal basis for this data processing is Section 25, Para. 2, No. 2 of the German Telecommunications and Telemedia Data Protection Act (TTDSG). These cookies are required to guarantee the functionality of the website.

### **Recipients of your data**

The providers mandated by LANXESS Aktiengesellschaft for the purposes of the organization and follow-up of the virtual Annual Stockholders' Meeting process the personal data of stockholders and stockholder representatives only upon instruction of LANXESS Aktiengesellschaft and only to the extent necessary to perform the service commissioned (Article 28 GDPR). All employees of LANXESS Aktiengesellschaft and the employees of the providers mandated that have access to personal data of the stockholders or stockholder representatives and/or process this data are obligated to treat this data as confidential.

In addition, personal data, particularly the names, of stockholders or stockholder representatives that exercise their voting rights will be provided to other stockholders and stockholder representatives (particularly concerning the list of attendees under Section 129 AktG) in accordance with the law. This also applies to personal data in any position statements that the stockholders or their representatives have submitted in advance (Section 130a Para. 3 AktG), in objections raised and in connection with a notice of stockholder motions for addendum to the agenda and the communication of countermotions and nominations. In these cases, the legal basis is Article 6 Para. 1 Sentence 1 c) GDPR, or, if there is no legal obligation to publish names, Article 6 Para. 1 Sentence 1 f) GDPR.

In addition, LANXESS Aktiengesellschaft can be legally obligated to share personal data or stockholders or their representatives with further recipients such as government authorities in order to fulfill statutory reporting obligations. The legal basis is Article 6 Para. 1 Sentence 1 c) GDPR in conjunction with the legal provision that gives rise to the obligation.

### **Duration of storage**

LANXESS Aktiengesellschaft will delete or anonymize the personal data of the stockholders and stockholder representatives in accordance with the law if and when the two-year consultation period in accordance with Section 129 Para. 4 AktG has expired, the personal data is no longer necessary for the original purposes of collection or processing, the data is no longer needed in relation to any administrative or legal proceedings, and there are no other legal retention obligations.

### **Rights of data subjects**

If the legal requirements are met, which must be verified on a case-by-case basis, the stockholders and their representatives have the right to use the above contact information to obtain information about their personal data that was processed and to request the rectification or erasure of their personal data or limitation of processing. In addition, the stockholders and their representatives have the right to file a complaint with the responsible supervisory authorities as well as the right to receive their personal data in a structured, commonly used and machine-readable format (right to data portability).

Where and insofar as personal data is processed on the basis of our legitimate interests (Article 6 Para. 1 Sentence 1 f) GDPR), the stockholders or stockholder representatives also

have a right to object to the processing of their personal data if the legal requirements are met, which must be verified on a case-by-case basis.