

## **Information for shareholders and their representatives on data protection for the purposes of the virtual Annual General Meeting**

Aareal Bank AG attaches key importance to the protection of your data and your privacy. This privacy statement explains what personal data concerning you as our shareholder or your representative we will be processing in connection with the preparation and execution of our virtual Annual General Meeting as well as in related follow-up activities and what rights you have under European Regulation (EU) 2016/679 (General Data Protection Regulation, GDPR) as well as the German Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG) with regard to the processing of your data.

We will carry out the Annual General Meeting on 3 May 2024 as a virtual Annual General Meeting without the physical presence of the shareholders and their representatives (with the exception of the Company's voting proxies) at the location of the Annual General Meeting in accordance with section 118a of the German Public Limited Companies Act (AktG) in conjunction with section 15 (4) of the Memorandum and Articles of Association. Accordingly, it is not possible for the shareholders and their representatives to physically attend the Annual General Meeting. Shareholders and their representatives may join via the shareholder portal for the live audio and video streaming of the entire Annual General Meeting. The shareholder portal is operated by our service provider Computershare Deutschland GmbH & Co. KG, Eisenheimerstr. 61, 80687 Munich, solely on our behalf and in accordance with our instructions. It is available at the URL

[www.aareal-bank.com/en/investors-portal/equity-investors/general-meeting-2024/](http://www.aareal-bank.com/en/investors-portal/equity-investors/general-meeting-2024/)

### **I. Responsible staff member**

The data controller with respect to the processing of your personal data is:

**Aareal Bank AG**  
**Paulinenstraße 15**  
**D-65189 Wiesbaden**  
**Telefax: +49 611 348-2965**  
[HV2024@aareal-bank.com](mailto:HV2024@aareal-bank.com)

### **II. Categories of data processed**

In connection with our virtual Annual General Meeting, we process the following personal data concerning our shareholders:

- Name, title (if any), date of birth
- Address and further contact data
- Share- and shareholder-related data (in particular, number of shares, manner in which shares are held, depository bank)
- Individual data for access to the shareholder portal

- Other data provided in connection with the virtual Annual General Meeting (e.g. proxy appointments, requests for information, motions, election proposals, statements, video messages, speeches via video communication)

In addition, we process the name and address of the representative (if any) nominated by the shareholder.

If shareholders or their representatives contact us, we additionally process the personal data that we require to respond to their question or to address their concern, e.g. e-mail address or telephone number.

When you as a shareholder or representative visit our shareholder portal on the Internet, we collect data showing what you access on our shareholder portal. The following data and device information may be recorded in the webserver log files:

- Data requested or retrieved (e.g. on screen resolution);
- Date, time, place and duration of data retrieval;
- Indication of whether the retrieval was successful;
- Type of web browser used and the operating system;
- Referrer URL (the site previously visited);
- IP address;
- For shareholders and their representatives only: shareholder number and session ID; and
- Login.

Your browser transmits this data to us automatically when you visit our shareholder portal.

In addition, we use web storage functions. For this purpose, small text files are deposited and saved in your browser's local memory on your device. We use session storage technology to collect information on the authentication token (i.e. your "virtual" admission ticket) and your session data including your consent to our terms and conditions of use after you log onto the shareholder portal. This ensures that you are recognised again as a user when you move to another page on the portal during an active session, return to our website or reload the page. In addition, we use the local storage function to operate the shareholder portal in order to time-stamp your login to ensure that you are automatically logged out after 30 minutes of inactivity for security reasons.

This data is automatically deleted when you close the browser. The menu of your browser will tell you what technical steps you can take to prevent web storage objects from being deposited and the settings you must select to be alerted when a new web storage object is deposited. Please note that if you prevent web storage objects from being accepted, some of the functions of our website may no longer be available.

### **III. Sources of data**

We and our service providers obtain the shareholders' personal data either from the shareholders themselves or from the shareholders' custodian banks at which our shares are held.

If you are a shareholder representative, we receive your personal data from the shareholder whom you are representing or directly from you in the case of data directly related to your activity during the virtual Annual General Meeting.

#### **IV. Purpose of and legal basis for processing**

We process your personal data in accordance with the requirements of the GDPR, the German Federal Data Protection Act (BDSG), the Telecommunications-Telemedia Data Protection Act (TTDSG) and the German Public Limited Companies Act (AktG) as well as other relevant statutory requirements.

Via the shareholder portal, amongst other options you can follow the virtual Annual General Meeting in audio or video mode, exercise your voting rights by means of postal voting, grant voting proxies, submit questions or lodge objections for inclusion in the minutes. To use the shareholder portal, you must enter your logon data that you received together with your voting card. The various options for exercising your voting rights will then be displayed in the form of buttons and menus on the user interface of the shareholder portal. Use of the shareholder portal is subject to the terms and conditions of use, which may be inspected there.

##### **1. Preparation and execution of the virtual Annual General Meeting as well as related follow-up activities**

We process your personal data in order to prepare, conduct and follow up the virtual Annual General Meeting and to fulfil our legal obligations towards shareholders and their proxies in this context, in particular to

- handle the registration and connection of shareholders and their proxies to the virtual Annual General Meeting (e.g. identity check, verification of the entitlement to exercise shareholder rights and to connect via the shareholder portal, preparation of the list of participants and making it available for inspection, dispatch of voting cards) and
- to enable the shareholders and their representatives (proxies) to exercise their rights within the scope of or in connection with the virtual Annual General Meeting (in particular granting and revoking powers of attorney and instructions and exercising the rights to vote, propose motions, make statements, speak and provide information as well as the right to object to resolutions of the Annual General Meeting in the respective manner described in the invitation to the Annual General Meeting).

We also process your personal data if necessary in order to provide Company information ("Order service" on our website) and to maintain contact with our shareholders (Investor Relations).

The legal basis for such processing is Article 6 (1) c GDPR, read in conjunction with Section 67e (1) of the AktG and our obligations under company law in accordance with Sections 118 et seq. AktG.

It is necessary for us to process your personal data to ensure the due and proper execution of the virtual Annual General Meeting. If you do not provide us with the necessary personal data, we may not be able to allow you to exercise shareholder rights and to participate in the virtual Annual General Meeting.

In connection with the virtual Annual General Meeting, we possibly also send your data to our legal and tax consultants or auditors as we have a legitimate interest in organising the virtual Annual General Meeting in conformity with the relevant legal regulations and in obtaining external advice in this regard. The legal basis for this processing is Article 6(1) f of the GDPR.

## **2. Fulfilment of statutory reporting and publication obligations (in particular voting rights notifications) and other statutory obligations, in particular retention obligations**

Your personal data will also be processed to comply with any statutory reporting and publication obligations (in particular voting rights notifications). In addition, your personal data may also be processed to satisfy further statutory obligations, e.g. supervisory requirements as well as data retention obligations under corporate, commercial and tax law. The legal basis for such data processing is Art. 6 (1) c) GDPR, read in conjunction with the relevant statutory rules and regulations.

## **3. Further purposes of processing**

We process your personal data in order to prepare analyses and reports on the shareholder structure. This serves our justified interest to analyse the Company's capital structure as the basis for entrepreneurial decisions. The legal basis for this processing is Article 6(1) f of the GDPR.

## **V. Cookies and the like**

For our password-protected shareholder portal, we use technically essential cookies, device information in web server log files as well as web storage, session storage and local storage elements (collectively referred to as **cookie functions**). Cookies are small files that are deposited on your desktop, notebook or mobile device by a website you visit. They tell us, for example, whether there has previously been a connection between your device and our password-protected shareholder portal. Cookies may also contain personal data. It is possible to set up your browser in such a way that you are informed about the enabling of cookies and doing so only in individual cases or rejecting them altogether or deleting them. If you opt out of the use of cookies, some

of the functions of our password-protected shareholder portal or other individual functions may not be available to you in full.

We only use the necessary cookie functions for the purpose of providing the portal site and for the registration and identification of shareholders and their representatives, for misuse detection, fault elimination and to ensure the smooth handling of the virtual Annual General Meeting.

The legal basis for the use of the cookie functions, access to the data stored therein and the associated processing of personal data is Section 25 (2) No. 2 of the Telecommunications Telemedia Data Protection Act (*TTDSG*), as this is necessary to provide the shareholder portal you requested. The processing of personal data associated with and in addition to these cookie functions is necessary to protect our legitimate interest in enabling our shareholders and their representatives to visit our password-protected shareholder portal. The legal basis for such processing is Article 6 (1) f GDPR.

Insofar as we want to use cookie functions in the provision of the shareholder portal that are not absolutely necessary for the operation thereof, such as function or performance cookies, we will only do so if you have given your consent in this regard.

## **VI. Data recipients and transmission to third countries**

Service providers retained by the Company for the purposes of preparing and executing the virtual Annual General Meeting as well as related follow-up activities only receive from the Company such personal data as they require to perform the requested service and process this data solely on the Company's behalf and in accordance with its instructions. All our employees as well as all employees of the external service providers who have access to this data or process it are subject to an undertaking to treat it confidentially. In connection with the preparation, execution and follow-up of the Annual General Meeting, we may also forward your personal data to our legal and/or tax advisors or auditors.

In connection with the execution of the Annual General Meeting, your personal data may be disclosed to other duly registered shareholders or their representatives (proxies) in certain circumstances (e.g. by granting access to the legally required list of participants, by publishing on the Company's website the motions or other requests you have submitted that are subject to publication, in the context of making statements accessible by name on the shareholder portal or in the context of other contributions you make in the run-up to or during the virtual Annual General Meeting via the communication channels described in the invitation to the Annual General Meeting).

Finally, we may be subject to an obligation to transmit your personal data to other recipients, e.g. in connection with the publication of voting right notifications in accordance with the provisions of the German Securities Trading Act, or to government authorities in order to satisfy statutory reporting duties (e.g. to tax or criminal prosecution authorities).

Your data will generally be processed in countries that are members of the European Union (**EU**) and the European Economic Area (**EEA**). We will also send information to shareholders from countries outside the EU or EEA (**third countries**), e.g. invitations to Annual General Meetings. If this information also contains personal data (e.g. motions for the Annual General Meeting stating the name of the submitter of the motion), this data will thus also be transmitted to third countries. The provisions of the GDPR do not apply directly to third countries. A lower level of protection for your personal data may apply in these third countries unless the EU Commission has made an adequacy decision. Transmission is nevertheless necessary in order to inform all shareholders equally, as we are not permitted to exclude shareholders from third countries from our duty to provide information. Accordingly, by transmitting this data, we are complying with our contractual obligations. The legal basis for this transmission is Article 49(1) b GDPR.

## **VII. Duration of storage and erasure of data**

We will erase or anonymise your personal data as soon as it is no longer required for the above-mentioned purposes unless we are required by law to continue storing the data (e.g. under the German Public Limited Companies Act, the German Commercial Code, the German Fiscal Code or other statutory provisions). In addition, we will retain data if this is necessary in connection with claims that are asserted against or by our Company or to preserve the above-mentioned legitimate interests. Please contact our data protection officer if you have any specific questions concerning the duration for which data is stored.

## **VIII. Rights of the data subjects and data protection officer**

Provided that the statutory requirements are satisfied, shareholders and shareholder representatives have the right as data subjects

- to receive information on the data processing and a copy of the data processed (right of access, Article 15 GDPR),
- to request the rectification of incorrect data or the completion of incomplete data (right to rectification, Article 16 GDPR)
- to request the immediate erasure of personal data (right to erasure, Article 17 GDPR)
- to request the restriction of data processing (right to restriction of processing, Article 18 GDPR),
- to receive the personal data concerning the shareholder or shareholder representative which he or she has provided to a controller in a structured, commonly used and machine-readable format and to transmit that data to another controller without hindrance from the controller to which the personal data have been provided (right to data portability, Article 20 GDPR).

**If we process your data to preserve the legitimate interests of Aareal Bank AG or a third party, you have the right to object, on grounds relating to your particular situation, at any time to processing of personal data concerning you**

**(right to object, Article 21 GDPR). In this case, we will no longer process your personal data, unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or if the processing serves to establish, exercise or defend legal claims.**

Shareholders and shareholder representatives may submit any complaints with regard to the processing of their personal data to the Company's data protection officer:

**Aareal Bank AG**  
**Data Protection Officer**  
**Paulinenstraße 15**  
**65189 Wiesbaden**  
[datenschutz@aareal-bank.com](mailto:datenschutz@aareal-bank.com)

Regardless of this, each shareholder and shareholder representative has a right under Article 77 GDPR to lodge a complaint with a competent data protection supervisory authority. The data protection supervisory authority responsible for the Company is the Officer for Data Protection and Information Freedom of the State of Hesse (Post Office Box 3163, 65021 Wiesbaden, Telephone: +49 611 1408-0, Telefax: +49 611 14 08-900 or +49 611 1408-901, [poststelle@datenschutz.hessen.de](mailto:poststelle@datenschutz.hessen.de)).