Extraordinary General Meeting and Separate Meeting of the Non-Voting Common Shareholders of Schaeffler AG on February 2, 2024

Information on Data Protection for Shareholders

The company, as the responsible body within the meaning of Article 4 no. 7 of the General Data Protection Regulation, processes personal data (surname, last name, address, email address, number of shares, class of shares, type of ownership of shares, number of the access card, granting of proxies and access data for the InvestorPortal) of the shareholder and/or of any representative authorized by a shareholder on the basis of the applicable data protection laws. If a shareholder or its representative contacts the company, the company also processes the personal data required or conductive to respond to any inquiries (such as the contact information provided by the shareholder or representative, e.g., telephone numbers).

The extraordinary general meeting and the separate meeting of the non-voting common shareholders of the company will be broadcast in each case in part on the Internet for the interested public in accordance with the instructions of the chairman of the meeting. Shareholders entitled to vote have the opportunity to watch the meetings live in image and sound and exercise their voting rights at the meetings by means of electronic absentee voting or by issuing powers of attorney and instructions via the InvestorPortal. Further personal data such as IP addresses are processed in this context. For details, please refer to the data protection information linked on the InvestorPortal.

Depending on individual cases, this may also apply to additional personal data. For example, the company processes information on speeches and requests from shareholders and/or their representatives at the meeting. In the event of countermotions, election proposals, motions to supplement the agenda or applications pursuant to section 138 sentence 3 AktG, which must be made available, the company will also publish such proposals together with the shareholder’s name, online at www.schaeffler.com/egm

The processing of personal data of shareholders respectively their representatives is required pursuant to sections 118 et seq. AktG in order to prepare, carry out and perform follow-up work on the extraordinary general meeting and the separate meeting of the non-voting common shareholders of the company, as well as to enable shareholders to exercise their rights in connection with the extraordinary general meeting respectively the separate meeting of the non-voting common shareholders of the company. Without the provision of such personal data, a participation in the extraordinary general meeting and the separate meeting of the non-voting common shareholders of the company as well as the exercise of voting rights and other meeting-related rights would not be possible. The AktG in conjunction with Article 6 para. 1 lit. c) of the General Data Protection Regulation, form the legal basis for the processing. Given that all shares in the company are bearer shares, the company does, however, point out that shareholders may be represented by an intermediary (section 135 para. 5 AktG), a shareholders’ association, a proxy advisor or any other equivalent person or institution pursuant to section 135 AktG, while maintaining their anonymity and without providing personal data, respectively. The company may also process personal data to fulfil other legal obligations, such as regulatory requirements as well as obligations to retain data under stock
corporation laws, securities laws, commercial laws and tax laws. The relevant statutory provisions in conjunction with Article 6 para. 1 sentence 1 lit. c) of the General Data Protection Regulation form the legal basis for such processing. In addition, personal data is processed in certain cases pursuant to Article 6 para. 1 lit. a) of the General Data Protection Regulation on the basis of the consent of the shareholder concerned or its representative.

The company’s service providers that are commissioned for the purpose of holding the extraordinary general meeting and the separate meeting of the non-voting common shareholders of the company receive personal data from the company only to the extent such data is required to provide the requested services and only process the data in accordance with instructions from the company. The company may be obliged to transfer personal data to further recipients who process the personal data under their own responsibility (Article 4 no. 7 of the General Data Protection Regulation), in particular to public bodies such as the competent supervisory authority.

The personal data of shareholders or its representatives who participate in the extraordinary general meeting or the separate meeting of the non-voting common shareholders of the company may be viewed by other shareholders and shareholder representatives within the framework of the statutory provisions (including, if applicable, image and sound recordings). In addition, all employees of the company and the employees of contracted service providers who need to access and/or process personal data in order to perform their duties are obliged to treat such data confidentially.

Furthermore, personal data is made available to the shareholders and shareholder representatives in accordance with applicable laws, notably in the form of the list of participants. Shareholders and shareholder representatives may inspect the list of participants for a period of up to two years after the extraordinary general meeting or the separate meeting of the non-voting common shareholders of the company (section 129 para. 4 sentence 2 AktG).

The company does not use personal data recorded in connection with the extraordinary general meeting or the separate meeting of the non-voting common shareholders of the company for any decision based on automated processing and does not engage in any profiling.

The company and its service providers, respectively, generally receive personal data of shareholders respectively their representatives via the registration office of the financial institutions such shareholders have commissioned to hold their shares in the company (so-called custodian banks).

The storage period for the data recorded in connection with the extraordinary general meeting or the separate meeting of the non-voting common shareholders of the company regularly amounts to up to three years, unless the company is legally required to provide evidence and retain data for a longer period of time or where the company has a legitimate interest in further retention, for example in case of judicial, extrajudicial disputes or official proceedings in connection with the extraordinary general meeting or the separate meeting of the non-voting common shareholders of the company. After the expiration of the relevant period, personal data will be deleted.

If certain statutory requirements are met, shareholders and/or their representatives have information, correction, limitation, objection and deletion rights with respect to their personal data and the processing thereof. If personal data of shareholders and/or shareholder representatives is inaccurate or incomplete, such shareholders have the right to request a correction and supplement. Shareholders and/or shareholder representatives may request the deletion of their personal data at any time, unless the company is legally obliged or entitled to continue processing their data. Furthermore, shareholders respectively their representatives have a right to data portability pursuant to Article 20 of the General Data Protection Regulation. In addition, there is the possibility of revoking
consent once it has been given in accordance with Article 7 para. 3 of the General Data Protection Regulation with effect for the future.

Shareholders and/or their representatives may object to the processing of their personal data pursuant to Article 21 of the General Data Protection Regulation if such data is processed on the basis of legitimate interests. In the event of an objection, the company shall no longer process the personal data concerned, unless compelling legitimate grounds for the processing can be demonstrated which override the interests, rights and freedoms, or if the processing serves the purpose of asserting, exercising or defending legal claims.

Shareholders and/or their representatives can assert these rights vis-à-vis the company free of charge via the following contact details, which also allow shareholders and/or their representatives to contact the company with respect to questions on data protection:

Schaeffler AG  
attn. Data Protection Officer  
Industriestraße 1-3  
91074 Herzogenaurach  
Tel.: +49 9132 82-1430  
Email: Datenschutz@schaeffler.com

Moreover, shareholders and their representatives have the right to file a complaint with the data protection supervisory authorities pursuant to Article 77 of the General Data Protection Regulation.

The data protection supervisory authority responsible for the company is:

Bayerisches Landesamt für Datenschutzaufsicht  
Promenade 27  
91522 Ansbach  
Tel.: +49 981 53-1300  
Fax: +49 981 53-5300  
Email: poststelle@lda.bayern.de

The company’s data protection officer can be contacted at:

Schaeffler AG  
Data Protection Officer  
Industriestraße 1-3  
91074 Herzogenaurach