

Information on Data Protection for Uniper SE Shareholders and their Representatives

Since 25 May 2018 the EU General Data Protection Regulation applies. The following notes contain information on how your personal information is processed by Uniper SE, and on your rights pursuant to data protection law.

Who is responsible for the data processing operation?

Uniper SE, Holzstraße 6, 40221 Düsseldorf

You can contact the Data Protection Officer of Uniper SE by post at the following address:

Uniper SE, Group Data Protection Officer, Holzstraße 6, 40221 Düsseldorf, Germany

For what purpose is your data processed, and on what legal basis does this take place? From where does Uniper SE obtain your data? Which data does Uniper SE process?

Uniper SE processes your personal data in accordance with the EU General Data Protection Regulation (GDPR), the German Data Protection Act (Bundesdatenschutzgesetz, BDSG), the German Stock Corporation Act (Aktiengesetz, AktG)¹ and all other relevant legal regulations.

The shares of Uniper SE are no-par value registered shares. With this type of registered share, § 67 German Stock Corporation Act (AktG) stipulates that they shall be entered in the company's share register stating the name, date of birth and address of the shareholder, as well as the number of shares. The shareholder is legally obligated to provide this information to the company. If you do not agree to the provision of your data, they cannot be entered into the share register and you cannot make use of your rights as shareholder. The banks involved in the purchase, custody or disposal of your Uniper SE share regularly relay the aforementioned information, and other information relevant for maintaining the share register (e.g. nationality, gender and remitting bank) to the share register. This is performed via Clearstream Banking Frankfurt, which, as the central securities depository, is responsible for the technical clearing and settlement of securities transactions, as well as for the custody of shares on behalf of credit institutions.

Uniper SE uses your personal data for the purposes defined in the German Stock Corporation Act (AktG). These particularly include the maintenance of the share register, and holding the annual general meetings (also in virtual format). The legal basis for the processing of your personal data is the German Stock Corporation Act (AktG) in conjunction with Art. 6 para. 1 c) GDPR.

Where necessary, your personal data will also be processed in order to fulfil other statutory obligations, such as regulatory stipulations as well as retention obligations imposed by stock corporation, commercial and tax law regulations. For example, in the case where proxy holders are authorized by Uniper SE to vote at the annual general meeting, it is stipulated that the information that serves as evidence of the authorization, be retained for three years in a verifiable access-protected form (§ 134

¹ The provisions of the AktG applicable to stock corporations with their registered office in Germany apply to Uniper SE on the basis of the reference standards of Article 5, Article 9 (1) (c) ii), Article 53 and Article 61 of the Council Regulation (EC) No. 2157/2001 of October 8, 2001 on the Statute for a European company (SE) (hereinafter SE-VO) applies, unless otherwise specified in more specific provisions, in particular the SE-VO.

(3) 5th sentence AktG). The legal basis of the data processing in this case is provided by the relevant statutory regulations in conjunction with Art. 6 para. 1 c) GDPR.

In specific cases, Uniper SE shall also process your data for the purpose of protecting legitimate interests in accordance with Art. 6 para. 1 f) GDPR. For example, this can be the case with capital increases where information about subscription offers has to be excluded from specific shareholders due to their nationality or domicile, in order to comply with the securities regulations of the countries in question.

Alongside this, your data can also be used based on legitimate interests for preparing statistics, for example analyzing trends, or for the establishment, exercise or defence of legal claims.

If it is proposed to process your data for any other purpose, you shall be notified in advance within the limits of the statutory regulations.

To what categories of recipients might your data be relayed?

External service providers: Uniper SE uses the services of external providers for maintaining the share register and for the technical aspects of holding the annual general meeting. These are for example companies in the categories print and distribution services or support services in connection with conducting the shareholders' meeting. ADEUS Aktienregister-Service-GmbH, Munich has been commissioned with maintaining Uniper SE's share register and receives data necessary for the performance of this service.

Other recipients: In addition, it may be necessary to transmit your personal data to other service providers, such as external consultants (e.g. external lawyers). In course of the annual general meeting, other participants, shareholders of Uniper SE and their representatives, connected to the annual general meeting, either on site or electronically, may be able to see data pertaining to your person contained in the list of participants prepared in accordance with § 129 AktG. According to the provisions of stock corporation law, in certain cases your personal data must be published on the website and in the Federal Gazette (cf. §§ 122, 126, 127 AktG).

For how long will your data remain stored?

As a rule, your personal data shall be deleted or anonymized once it is no longer needed for the aforementioned purposes, and provided statutory documentation and retention obligations do not mean Uniper SE is required to store such data for a longer period. The retention period for data recorded in connection with annual general meetings usually amounts to 3 years. The data stored in the share register shall, under normal circumstances, be retained for a period of 10 years following the disposal of shares. In addition, Uniper SE shall retain personal data only if this is necessary in connection with claims asserted against the company (statutory retention period of typically 3 years, in certain circumstances of up to 30 years). If Uniper SE becomes aware that a shareholder is no longer a shareholder of Uniper SE, it will process their personal data in accordance with § 67e(2) AktG, subject to other statutory provisions, such as the AktG, the Securities Trading Act (*Wertpapierhandelsgesetzes, WpHG*), the German Commercial Code (*Handelsgesetzbuchs, HGB*) and the Fiscal Code (*Abgabenordnung, AO*), only save for a maximum of twelve months; longer storage only takes place as long as this is necessary for legal proceedings.

What are your rights?

You can go to www.uniper.energy/agm-service to view your core personal data as stored in the share register, and correct your address if necessary. Under the aforementioned address, you can request information concerning all your personal data as stored by Uniper SE according to Art. 15 GDPR.

Subject to certain requirements, you can also demand that your data be rectified pursuant to Art. 16 GDPR, be deleted pursuant to Art. 17 GDPR, that the processing activities be restricted pursuant to Art. 18 GDPR, or that your data be transmitted pursuant to Art. 20 GDPR.

Right of objection:

If your data is processed in order to uphold legitimate interests, you may at any time send a notice to the aforementioned address, objecting to these processing activities pursuant to Art. 21 GDPR, if there are reasons pertaining to your particular situation which stand contrary to the processing of this data. Uniper SE then ceases the data processing activities, unless Uniper SE is able to show compelling legitimate grounds which outweigh the interests, rights and freedoms of the person in question, or insofar as the data is processed for the purpose of asserting, exercising or defending legal entitlements.

If you have any questions concerning data protection in connection with the share register, please contact the shareholders' hotline at

hv-service.uniper@adeus.de or +49 (0)180 2 86 42 66.

If you have any comments or complaints, you also have the opportunity to contact the aforementioned Data Protection Officer or pursuant to Art. 77 GDPR a data protection regulatory authority. The competent data protection regulatory authority for Uniper SE is:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen

Postfach 20 04 44, 40102 Düsseldorf: https://ldi.nrw.de/metanavi_Kontakt/index.php