



## Information for Uniper SE shareholders and their proxies on data protection

With the following notices, we inform you about the processing of your personal data by Uniper SE and the rights to which you are entitled under the EU General Data Protection Regulation (**GDPR**).

Uniper SE will hold the General Meeting as a virtual general meeting pursuant to section 118a of the German Stock Corporation Act (**AktG**) without the physical presence of the shareholders or their proxies (with the exception of Company-appointed proxies). Shareholders and their proxies will therefore not be able to physically attend the General Meeting. However, the shareholders and their proxies may – provided they have duly registered – follow the entire General Meeting via audio-visual transmission online via the password-protected online service (**GM Portal**).

### Who is responsible for data processing?

Uniper SE, Holzstraße 6, 40221 Düsseldorf, Germany

You can reach the data protection officer of Uniper SE by mail at this address:

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

### What data does Uniper SE process?

In connection with the conduct of the General Meeting, Uniper SE processes the following personal data of the shareholders or their proxies:

- First and last name, title, birth name (if applicable)
- Date of birth
- Nationality
- Postal address and other contact details
- Information on your shareholding (shareholder number, number of shares, share class, type of share ownership, custodian bank)
- Individual access data for the GM Portal
- Other data arising in connection with the General Meeting (e.g., granting of proxies, requests for information, motions, election proposals, statements by way of electronic communication in text form or as a video message, speeches by way of video communication)

When shareholders or their proxies visit the GM Portal on the internet, Uniper SE collects data on access to the GM Portal. The following data and device information are logged in the web server log files:

- Retrieved or requested data (including the URL retrieved);
- Date and time of retrieval;
- Message whether the retrieval was successful;
- Type of web browser and operating system used;
- Referrer URL (the previously visited page), if the browser sends it;
- IP address;
- Port through which access is made;
- Actions performed within the GM Portal;

- Individual access data and session ID; and
- Login and logout with respective time stamp.

If shareholders or their proxies contact Uniper SE, Uniper SE will additionally process those personal data which are necessary for the processing of the respective request, such as the email address or the telephone number.

## For what purposes and on what legal basis is your data processed?

Uniper SE processes your personal data in compliance with the GDPR, the German Federal Data Protection Act (BDSG), the AktG<sup>1</sup> and all other relevant legal provisions for the following purposes:

### Preparation, conduct and follow-up of the virtual General Meeting

Uniper SE processes the personal data to prepare, conduct and follow up the General Meeting and to comply with the legal obligations towards shareholders and their proxies in this context, in particular to

- process the registration for the General Meeting and the electronic connection of shareholders and their proxies to the virtual General Meeting (e.g., identity check, verification of authorization to exercise shareholder rights and to connect via the GM Portal, preparation of the list of participants and making it available for inspection, dispatch of voting cards), and
- to enable shareholders and their proxies to exercise their rights within the framework of or in connection with the virtual General Meeting (in particular to grant and revoke proxies and instructions and to exercise voting rights, the right to submit motions, the right to submit statements, the right to speak and the right to information as well as the right to object to resolutions of the General Meeting in the manner described in the respective invitation to the General Meeting).

The legal basis for this processing is Art. 6 (1) c) GDPR in conjunction with section 67e (1) AktG and the obligations under stock corporation law pursuant to sections 118 et seq. AktG.

The processing of the personal data is necessary for the proper conduct of the General Meeting. If you do not provide Uniper SE with the required personal data, Uniper SE may not be able to enable you to exercise shareholder rights or to electronically connect to the virtual General Meeting.

In connection with the virtual General Meeting, Uniper SE may also transfer the personal data to legal advisers, tax advisers or auditors, as Uniper SE has a legitimate interest in organising the General Meeting in accordance with the relevant legal provisions and in obtaining external advice for this purpose. The legal basis for these processing operations is Art. 6 (1) (f) GDPR.

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

In addition, the personal data may also be processed to comply with further legal obligations, such as statutory reporting and publication obligations (in particular voting rights notifications), regulatory requirements as well as obligations under stock corporation, commercial and tax law to retain data. For example, in the case of the authorization of the Company-appointed proxies for the General Meeting, it

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<sup>1</sup> The provisions of the AktG applicable to stock corporations having their registered office in Germany will apply to Uniper SE on the basis of the reference provisions in Art. 5, Art. 9 para. 1 lit. c) ii), Art. 53 as well as Art. 61 of Council Regulation (EC) No. 2157/2001 of 8 October 2001 on the Statute for a European company (SE) (hereinafter **SE Regulation**), unless otherwise provided for in more specific provisions, in particular the SE Regulation.

is mandatory to record the data serving as evidence of the authorization in a verifiable manner and to keep it protected from access for three years (section 134 (3) sentence 5 AktG). The legal basis for processing in this case is the respective statutory regulations in conjunction with Art. 6 (1) c) GDPR.

#### Other processing purposes

In individual cases, Uniper SE also processes the personal data for the purpose of safeguarding legitimate interests pursuant to Art. 6 (1) (f) GDPR. In addition, your data may also be used on the basis of legitimate interests to compile statistics, e.g. for the analysis of trends, or to assert, exercise or defend legal claims. This serves our legitimate interest in analyzing the capital structure of the Company as a basis for business decisions.

If it is intended to process your personal data for another purpose, you will be informed in advance within the framework of the legal provisions.

#### Cookies and others

For the GM Portal, Uniper SE uses technically essential cookies, device information in web server log files as well as web storage and local storage elements (together **Cookie Functions**). Cookies are small files that are placed on the user's desktop, notebook or mobile device by a website that is visited. From these, Uniper SE can recognize, for example, whether there has already been a connection between the device used and the GM Portal, or which language or other settings the user prefers. Cookies may also contain personal data. Users can set their browser so that they are informed about the setting of cookies and only allow cookies in individual cases or generally exclude or delete them. If a user decides against the use of cookies, it may be that not all functions of the GM Portal or individual functions are only available to this user to a limited extent.

The Cookie Functions used by Uniper SE will only be used for the purpose of providing the GM Portal, for the registration and identification of shareholders and for abuse detection, troubleshooting and ensuring a smooth technical process of the virtual General Meeting.

The legal basis for the use of the cookie functions, the access to the data stored therein and the related 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 requested GM Portal. The further processing of the personal data collected by means of the Cookie Functions is necessary to safeguard Uniper SE's legitimate interest in enabling the shareholders and their proxies to use the GM Portal. The legal basis for this processing is Art. 6 (1) (f) GDPR.

Insofar as Cookie Functions are used in the provision of the GM Portal that are not absolutely necessary for the operation of the GM Portal, such as function or performance cookies, this is only done if the users have given their consent for this.

#### To which categories of recipients, if any, will your data be disclosed?

Service providers engaged for the purpose of preparing, conducting and following up the virtual General Meeting, including the provision of the GM Portal and its functions, will only receive personal data from Uniper SE that is required for the performance of the commissioned service and will process the data exclusively on behalf of and in accordance with the instructions of Uniper SE. All employees and all employees of external service providers who have access to and/or process personal data are obliged to treat such data confidentially.

For the maintenance of the share register as well as for the technical handling of the General Meeting, external service providers are, for example, companies in the categories of services for printing and mailing or support in the conduct of the General Meeting. ADEUS Aktienregister-Service-GmbH, Munich, has been commissioned to maintain Uniper SE's share register.

In addition, it may be necessary for Uniper SE to transfer the personal data to further recipients, such as external advisers (e.g., lawyers).

In connection with the conduct of the General Meeting, the personal data of shareholders and, if applicable, their proxies may be disclosed under certain circumstances to other duly registered participants in the General Meeting (e.g., by granting access to the legally required list of participants, by publishing motions subject to publication or other requests on the Company's website, by making statements available on the GM Portal with mention of the shareholder's name or by other contributions made by shareholders or, if applicable, proxies in the run-up to or during the virtual General Meeting via the communication channels described in the invitation to the General Meeting).

Personal data will generally be processed in countries belonging to the European Union (**EU**) and the European Economic Area (**EEA**). To the extent that shareholders are from countries outside the EU or the EEA (**Third Countries**), Uniper SE will also send information to these shareholders (e.g., invitations to General Meetings). If these notifications also contain personal data (e.g., motions for General Meetings including the name of the applicant), such data will thus also be transmitted to Third Countries. In Third Countries, the provisions of the GDPR do not apply directly. Unless there is an adequacy decision by the EU Commission, a lower level of protection for personal data may exist in these Third Countries. Nevertheless, a transfer is necessary to inform all shareholders equally, as Uniper SE may not exempt shareholders from Third Countries from the obligation to provide information. With the transfer, Uniper SE therefore fulfils its contractual obligations. The legal basis for the transfer is Art. 49 (1) (b) GDPR.

### Where does Uniper SE obtain your data?

The shareholder is generally obliged to provide the Company with this information. If a shareholder does not agree to provide this data, he cannot be entered in the share register and cannot exercise his rights as a shareholder. The credit institutions involved in the acquisition, custody or sale of Uniper SE shares regularly forward the personal data as well as other information relevant for the maintenance of the share register (e.g., nationality, gender and submitting bank) to the share register. This is done via Clearstream Banking Frankfurt, which, as central securities depository, handles the technical processing of securities transactions as well as the custody of the shares for credit institutions.

### How long will your data be stored?

In principle, the personal data will be deleted or made anonymous as soon as they are no longer required for the above-mentioned purposes and Uniper SE is not obliged to continue storing them due to statutory obligations to provide evidence and to retain data. For data collected in connection with General Meetings, the retention period is regularly up to 3 years. The data stored in the share register is regularly kept for another 10 years after the sale of the shares. In addition, Uniper SE will only retain personal data if this is necessary in connection with claims asserted against Uniper SE (statutory limitation period generally 3 years, but in certain cases of up to 30 years). If Uniper SE becomes aware that a shareholder is no longer a shareholder of Uniper SE, it will store the shareholder's personal data pursuant to section 67e (2) AktG only for a maximum of twelve months, subject to other statutory provisions, e.g. the AktG, the German Securities Trading Act (WpHG), the German Commercial Code (HGB) and the German



Fiscal Code (AO); longer storage will then only take place for as long as is necessary for legal proceedings.

### What rights do you have?

You can view the essential information stored about you in the share register at [www.uniper.energy/gm-service](http://www.uniper.energy/gm-service) and, if necessary, also correct your address. At the above address, you may request information from Uniper SE pursuant to Art. 15 GDPR about all personal data stored about you.

In addition, if the legal requirements are met, you may request the correction of your data pursuant to Art. 16 GDPR, the deletion of your data pursuant to Art. 17 GDPR, a restriction of processing pursuant to Art. 18 GDPR or the transfer of your data pursuant to Art. 20 GDPR.

#### Right to object:

If your data is processed for the purpose of safeguarding legitimate interests, you may object to such processing at any time at the above address in accordance with Art. 21 GDPR, provided that there are reasons based on your particular situation that conflict with such data processing. Uniper SE will then terminate the data processing unless Uniper SE can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject, or where the processing serves the purpose of asserting, exercising or defending legal claims.

For questions regarding data protection in the share register, please contact the shareholder hotline at [hv-service.uniper@adeus.de](mailto:hv-service.uniper@adeus.de).

You also have the option of contacting the above-mentioned data protection officer or a data protection supervisory authority pursuant to Art. 77 GDPR with information or complaints. The data protection supervisory authority responsible for Uniper SE is:

State Commissioner for Data Protection and Freedom of Information of North Rhine-Westphalia  
Postfach 20 04 44, 40102 Düsseldorf: [https://ldi.nrw.de/metanavi\\_Kontakt/index.php](https://ldi.nrw.de/metanavi_Kontakt/index.php)