

H&R GmbH & Co. KGaA

Information for shareholders and shareholder representatives on data protection in connection with the virtual Annual General Meeting on July 9, 2021

With the following information according to Art. 13, 14 General Data Protection Regulation - "GDPR", we would like to inform you about the processing of your personal data by H&R GmbH & Co. KGaA (the "**company**"; "**we**") in connection with the preparation, implementation and follow-up of an ordinary virtual annual general meeting on July 9, 2021, and informing you of your rights under data protection law.

1. Who is responsible for the data processing?

H&R GmbH & Co. KGaA
– Datenschutz –
Neuenkirchener Str. 8
48499 Salzbergen
Email: datenschutz@hur.com

If you have any questions about this data protection information, you can also contact our external data protection officer. This can be reached by post or e-mail at the aforementioned address of the company or directly at the following address:

Peter Suhren, Lawyer
Managing Director

FIRST PRIVACY GmbH
Konsul-Smidt-Str, 88
28217 Bremen
Germany

www.first-privacy.com

Telefon: +49 421 6966 32 822

Fax: +49 421 6966 32 81

2. Which of your data do we process and from which sources does this data come from?

We process your personal data in compliance with the GDPR, the Federal Data Protection Act (BDSG), the Stock Corporation Act (AktG) and all other relevant legal provisions.

Categories of personal data

When preparing, holding and following up the general meeting: The company's shares are bearer shares. There is therefore no share register. However, we receive data from shareholders primarily in connection with the preparation, implementation and follow-up of the Annual General Meeting. In particular, this includes the following information:

- Name, family name, possibly date of birth,
- Address and additional contact information (i.e. email address) of shareholder,

- Number of shares, type of ownership of shares,
- if applicable, the name and address of the shareholder representative authorized by the respective shareholder,
- votes cast, including information about the access to electronically cast votes and their electronic confirmation as well as information on whether and how the votes of the shareholder were counted and the confirmation of this information, and,
- Power of attorney and instructions to the proxies appointed by the company, if applicable.

In addition, the company processes data that shareholders voluntarily provide, including questions and communication content, etc. (“**Additional shareholder information**”).

When you visit our online portal to hold the virtual general meeting ("InvestorPortal"), we also collect and process data about access to and use of this portal, e.g.

- Access data for the InvestorPortal (registration confirmation number and Internet access code or password, email address and / or mobile phone number)
- Authentication token and session data
- Server-Log-data (Name of the files you accessed, date and time of access, notification of whether the access was successful, type of web browser used, referrer URL (the previously visited website), host name of the accessing computer (IP address), and
- Time stamp of Logins und Logouts in the InvestorPortal), provided to us by your web browser.

Data sources

As a rule, we receive your personal data directly from you, especially if you register personally for the (virtual) general meeting, submit questions, attend or participate in the (virtual) general meeting or exercise your shareholder rights as well as in the events of a power of attorney and instructions being issued.

We may receive data about you from third parties, for example from the credit institution that you have commissioned to hold your shares in custody.

If you take part in the (virtual) Annual General Meeting as a proxy, we may receive registration information and other information about you from the shareholder you represent.

3. For what purposes and on what legal basis do we process your data?

Purposes of data processing

Preparation, implementation and follow-up of the general meeting: We process your personal data for the purposes provided in the German Stock Corporation Act. These are in particular various processes in connection with the holding of general meetings (e.g. registration for the general meeting, documentation of the right to participate and creation of the list of participants) as well as - as far as legally permissible - communication with shareholders. In particular, the processing of personal data takes place in connection with the general meeting for the purpose of handling the registration and participation of the shareholders in the general meeting (e.g. checking the eligibility to attend) and in connection with the shareholders to exercise their rights in the context of the general meeting (including granting and revoking powers of attorney and instructions).

Virtual implementation of the annual general meeting: In 2021, too, the company will hold its ordinary general meeting as a virtual general meeting without the physical presence of shareholders or their proxies. Shareholders and shareholder representatives can take part in the Annual General Meeting by video and audio transmission via our InvestorPortal, which is available online. We process your personal data for the preparation, implementation and handling of the virtual general meeting, in particular for communication with the shareholders, to enable electronic voting in the InvestorPortal, to electronically confirm the receipt of electronically submitted votes, to ensure proper resolution and to create the minutes via the virtual general meeting and to enable you to exercise your general meeting-related rights, in particular voting rights (including exercising voting rights by postal vote), as well as to confirm whether and how the shareholder's vote was counted.

If you register for the virtual general meeting via the InvestorPortal, we process your login information, access data to the InvestorPortal and server log files in order to check your authorization to participate in the virtual general meeting and to allow you to participate in the virtual general meeting enable, and to make the live stream available. The processing of your e-mail address and / or mobile phone number when registering in two steps serves as an additional security measure to prevent misuse in order to avoid unauthorized access.

As part of the session storage technology, we collect information about the respective authentication token (your "virtual" entry ticket) and your session data after you log in. As a result, you will be recognized as a user, which is necessary for the full functionality of the InvestorPortal.

We also use the so-called local storage function to save the time stamp of your login, which for security reasons enables an automatic logout after 30 minutes of inactivity; this function will be deactivated on the day of the virtual general meeting.

If you wish to exercise your right to ask questions in accordance with Section 1 Paragraph 2 Clause 1 No. 3 of the Act on Measures in Company, Cooperative, Association, Foundation and Condominium Law to Combat the Effects of the COVID-19 Pandemic ("**C19- AuswBekG** ") and submit questions electronically via the InvestorPortal in the run-up to the virtual general meeting, we will save your further shareholder information including the questions you voluntarily submit together with your name. The company will answer the questions as part of the virtual general meeting or publish the questions together with the answers in advance on the company's website. The answers to the questions in the virtual general meeting or the publication on the company's website will be given by mentioning your name if you have indicated in the InvestorPortal that you wish to be named.

If you put an objection on the record during the virtual general meeting or make, change or revoke other declarations, the company will save this objection or these declarations together with your name. We do not publish your name in any of these contexts, unless you have expressly requested this or we are legally obliged to do so.

When visiting our website, please also note our data protection information stored there, which applies in addition to this information for shareholders and shareholder representatives on data protection.

Other processing purposes: Outside of the (virtual) Annual General Meeting, we may process your personal data for purposes that are compatible with the aforementioned purposes (in particular for the creation of statistics, e.g. for the presentation of the development of shareholders, the number of transactions or for overviews of the largest shareholders). In addition, we also process your personal data to fulfill other legal obligations such as regulatory requirements and retention obligations under stock corporation, commercial and tax law, insofar as these are applicable.

Finally, we may process your personal data if and to the extent that is necessary to exercise and defend our rights, e.g. to defend against shareholder actions and claims.

Should we process your personal data for a purpose not mentioned above, we will inform you beforehand within the framework of the statutory provisions.

Legal basis for processing

The processing of your personal data for the purpose of preparing, holding and following up the Annual General Meeting is based on the German Stock Corporation Act in conjunction with Art. 6 Paragraph 1 Clause 1 lit. c) and Art. 6 Paragraph 1 lit. f), and, where applicable, in conjunction with Paragraph 4 GDPR as the legal basis. The realization of the above-mentioned purposes, in particular the preparation, orderly execution and follow-up of the general meeting, also represents a legitimate interest in the processing of your personal data within the meaning of Art. 6 Para. 1 lit.f) GDPR.

Data processing in connection with the virtual holding of the general meeting including the exercise of your rights is based on Art. 6 Para. 1 lit. c) GDPR in conjunction with § 118 ff. AktG and § 129 AktG and in conjunction with § 1 C19-AuswBekG or to Art. 6 Para. 1 lit. f). GDPR. In this respect, the GDPR expressly provides that the processing of personal data can also be justified on the basis of special legal obligations (outside of the GDPR).

Data processing in connection with the authorization of the proxies appointed by the company for the general meeting is based on our legal obligation within the meaning of Art. 6 Para. 1 Clause 1 lit. (Sections 134 (3) sentence 5, 278 (3) AktG).

Data processing for the secure operation of the InvestorPortal also serves to fulfill legal obligations to ensure an appropriate level of data security according to Art. 6 Para. 1 lit. c) GDPR in conjunction with Art. 23 GDPR.

The legal basis for other data processing is the safeguarding of the following legitimate interests of the company or a third party according to Art. 6 Para. 1 Clause 1 lit. f) GDPR.

Legitimate interest of the company

In individual cases, the company can also process your data to safeguard the legitimate interests of the company or a third party in accordance with Article 6, Paragraph 1, Sentence 1, Letter f) of the GDPR.

In particular, when using the InvestorPortal, the processing of personal data takes place in our legitimate interest to enable our shareholders and shareholder representatives to exercise their shareholder rights in a user-friendly manner. The data processing also serves to ensure a smooth process, to guarantee the security of the virtual general meeting including the InvestorPortal as well as to rectify faults and to detect and prevent misuse.

For the right to object to the processing of data to safeguard legitimate interests, see section 8 below.

4. To which recipients do we pass your data on, if applicable?

External service providers and consultants: We partly use external service providers for our general meetings, e.g. general meeting service providers to carry out the general meeting including the operation of the InvestorPortal for the virtual general meeting, service providers for printing and dispatching shareholder notifications, legal advisers, etc. We have commissioned Computershare Deutschland GmbH & Co. KG to operate the “InvestorPortal” web application as the processor. Contracted service providers only receive personal data from the company that

are necessary for the execution of the contracted service. As far as service providers are active as processors, they process the data exclusively according to the instructions of the company.

Other shareholders and general meeting attendees: If you take part in the Annual General Meeting, we are obliged in accordance with Sections 129 (1) sentence 2 and 278 (3) AktG to enter you in the list of participants, stating your name, place of residence, number of shares and type of ownership. This data can be viewed by those attending the Annual General Meeting or other shareholders during the meeting and by shareholders for up to two years afterwards (Sections 129 (4) and 278 (3) AktG).

Publication of specific information: If a shareholder requests that items be placed on the agenda (Sections 122 (2), 278 (3) AktG), the company will publish these items, stating the name of the shareholder, if the requirements are met in accordance with the provisions of stock corporation law. The company will also publish counter motions and election proposals from shareholders on the Internet if the requirements are met in accordance with stock corporation law, stating the name of the shareholder (Sections 126 (1), 127, 278 (3) AktG).

Public authorities and other recipients: In addition, we may be obliged to transmit your personal data to other recipients, such as authorities to fulfill legal notification obligations (e.g. in the case of voting rights notifications).

International data transfers: No data transfers are currently planned to third countries outside the EU / EEA in which an adequate level of data protection from the point of view of EU data protection law does not apply.

5. Automated decision-making in individual cases including profiling

When processing your data, no fully automated decision-making (including profiling) according to Art. 22 GDPR is used.

6. Use of cookies

We also use so-called session cookies that are technically necessary for the operation of the InvestorPortal. These are small data packages that are saved as text files by the web browser on the hard drive of the end device. These are used to ensure a secure connection between the InvestorPortal and Q-Live. The cookies are only saved on the end device for the respective session. The following cookies are currently in use:

- X-XSRF-TOKEN
- .AspNetCore.Antiforgery.8-SwGiRsH58

7. How long will your data be saved?

In principle, we anonymize or delete your personal data as soon as and to the extent that they are no longer required for the purposes mentioned herein, unless there are statutory proof and / or retention requirements (according to the German Stock Corporation Act, the Commercial Code, the Tax Code or other legal provisions) which commit us to further storage. For the data recorded in connection with general meetings, including server log files, the storage period (subject to special legal requirements) is usually up to three years.

If retention obligations under commercial and tax law are applicable, the data must regularly be kept for another ten years. In addition, we only store personal data in individual cases if this is necessary in connection with claims that are asserted against our company (statutory limitation periods of up to thirty years).

8. What rights do you have under data protection law?

You can obtain **information** about the personal data stored about you, **correction** of your personal data, **deletion** of your personal data and **restriction** of processing at our address of the company mentioned in section 1 and the address of our external data protection officer mentioned in section 1 (e.g. if your data is processed unlawfully). A request for deletion or restriction of processing may conflict with statutory retention requirements of the company.

According to Art. 21 Para. 1 GDPR, you have the right to object to the processing of your data in order to safeguard the legitimate interests of the company or a third party:

Right to object to data processing to protect legitimate interests:

If we process your data to safeguard the legitimate interests of the company or a third party, you can, for example, use the address

datenschutz@hur.com

or by post under

H&R GmbH & Co. KGaA
– Datenschutz –
Neuenkirchener Str. 8
48499 Salzbergen

to object, if your particular situation gives rise to reasons that stand in the way of this data processing. We will then stop this processing if we cannot prove that there are compelling legitimate reasons for the processing that outweigh the interests, rights and freedoms of the data subjects, or that the processing serves to assert, exercise or defend legal claims.

9. Do you have complaints about the handling of your data?

If you have complaints about the processing of your personal data, you can contact the company's data protection officer using the contact details given in section 1 in order to clarify the matter with the company immediately. Regardless of this, you can contact a data protection supervisory authority. The data protection supervisory authority responsible for the company is:

The Hamburg Commissioner for Data Protection and Freedom of Information
Prof. Dr. Johannes Caspar

Klosterwall 6 (Block C), 20095 Hamburg
Tel.: 040 / 428 54 – 4040
Fax: 040 / 428 54 – 4000
Email: mailbox@datenschutz.hamburg.de

Information in this document was last updated in May 2021

In the event of relevant changes, we will update this data protection information with effect for the future and make it available on our website. We therefore recommend that you read this data protection information again at regular intervals. In addition, we will check whether there is an obligation to provide other notification in the event of a change to this data protection information and to comply with this possibly existing notification obligation accordingly.

This data protection information relates to data protection issues in connection with the position as a shareholder. Data protection information with regard to the use of our website can be found at <https://www.hur.com/en/meta/data-protection>.

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