



INDUS Holding AG
Bergisch Gladbach
ISIN DE0006200108

Data protection information in accordance with Art. 13, 14 and 21 GDPR | Conducting the Shareholders' Meeting

1. Data processing controller and contact details

Controller within the meaning of the General Data Protection Regulation

INDUS Holding AG
Kölner Straße 32
51429 Bergisch Gladbach
[Email: datenschutz@indus.de](mailto:datenschutz@indus.de)

Contact details of our Data Protection Officer:

fox-on Datenschutz GmbH
Pollerhofstr. 33a
51789 Lindlar
Tel.: +49(0)2266/90 15 920
[Email: dsb@fox-on.com](mailto:dsb@fox-on.com)

2. Personal data involved in processing

The shares of INDUS Holding AG (hereinafter referred to as the "Company") are bearer shares, in the context of which we have to process personal data of the shareholder, such as

- title,
- name,
- address (zip code, city, street no.),
- email address,
- volume of shares held by the shareholder,

for the purposes set forth in the German Stock Corporation Act (AktG), in particular for conducting the Shareholders' Meeting and maintaining the list of attendees.

If you grant a proxy to a third party, we will also process the following data of the third party:

- name, place of residence and zip code of the proxy;
- proxy granted and instructions, if applicable.

Where necessary, the names and contact details of guests at the Shareholders' Meeting may also be processed.

In addition, we process data relating to how the Shareholders' Meeting is conducted and how the online service is used, such as

- admission ticket number and shipping information relating to the admission ticket;
- access data to the online service (admission ticket number and access code);
- information on the exercise of voting rights or other shareholder rights by shareholders or proxies;
- in the case of absentee voting or the granting of proxies (and the issuance of instructions) using the online service, the data accrued or made available in connection with this;
- and usage data (including login timestamp, server log files with information on, for example, accessed files, web browser, referrer URL, IP address, etc.).

3. Purposes and legal basis for processing

We process personal data in accordance with the provisions of the General Data Protection Regulation (GDPR), the German Federal Data Protection Act (BDSG), the German Stock Corporation Act (AktG) and other applicable relevant statutory provisions.

Preparing and conducting the Shareholders' Meeting

In the context of the Shareholders' Meeting, data is processed for the following purposes:

- participation in the Shareholders' Meeting;
- fulfillment of the requirements set forth in the German Stock Corporation Act (AktG) (e.g., communicating with shareholders, conducting a Shareholders' Meeting, maintaining a list of attendees in the Company's Shareholders' Meeting or disclosure of the names of shareholders or proxies in the list of attendees following the Shareholders' Meeting, preparation and dispatch of statements on the receipt of votes cast and statements about the counting of votes, preparation of statistics, e.g., for the presentation of shareholder development);

- granting of a proxy to a third party or a proxy of the Company and issuance of instructions to the proxy of the Company (including via the online service);
- exercise of the voting right by the shareholder himself/herself, a proxy, a proxy of the Company or by absentee voting (including absentee voting via the online service);
- provision of information in the course of the Shareholders' Meeting;
- recording of objections to resolutions;
- preparation and dispatch of statements on the receipt of votes cast and statements about the counting of votes,
- amendment or revocation of declarations made;
- documentation of proxies, information, etc.

We process your data to fulfill a legal obligation, Art. 6 (1) (c) GDPR in conjunction with the German Stock Corporation Act (AktG):

In the case of bearer shares, section 129 of the German Stock Corporation Act (AktG) provides in particular that personal data of the shareholder or, if applicable, of the proxy must be included in the list of attendees. In order to comply with the provisions of stock corporation law, when authority is granted to proxies nominated by the Company or third parties for the Shareholders' Meeting, we must also record the data serving as proof of proxy in verifiable form. Furthermore, processing is legally mandatory for properly preparing and conducting the Shareholders' Meeting, for exercising voting rights, providing information, filing or recording objections to resolution items.

In addition to processing based on legal provisions, we also process your data to protect our legitimate interests in accordance with Art. 6 (1) (f) GDPR:

This includes the legitimate interest in ensuring that the Shareholders' Meeting runs smoothly, organizing the Shareholders' Meeting, allowing guests to participate in the Shareholders' Meeting, or preparing statistics.

Using the online service

On the basis of our terms of use, when you use our online service, we process your access and usage data for the online service as well as your data collected via the online service to enable you to access the online service and use the functions provided there (in particular absentee voting and granting/administration of proxies to third parties or a proxy of the Company as well as issuing instructions to the proxy of the Company), for documentation purposes of the votes cast and the proxies (and instructions) issued via the

online service, your amendments or revocations of declarations issued in connection with the online service, Art. 6 (1) (b) GDPR or Art. 6 (1) (c) GDPR in conjunction with the German Stock Corporation Act (AktG).

For the purpose of technically providing the online service, usage data are automatically transmitted to the web server used without us having any influence on this. It is necessary for us to store your IP address temporarily to transmit data to you. In addition, these data are used to ensure the security of our information technology systems (e.g. attack detection).

We process your personal data to technically provide the online service based on Art. 6 (1) (b) GDPR in the context of the user relationship. In addition, we process the data to protect our legitimate interests pursuant to Art. 6 (1) (f) GDPR in order to be able to technically provide you with the online service. Our legitimate interest here is to be able to provide you with an appealing, technically functioning and user-friendly online service and to take measures to protect against cyber risks.

Retention obligations and law enforcement

We also process your data in order to fulfill other legal obligations that we have in connection with the performance of the user relationship, among other things. This includes, in particular, retention periods under commercial, trade or tax law. This is done in order to fulfill a legal obligation to which we are subject, pursuant to Art. 6 (1) (c) GDPR in conjunction with commercial, trade or tax law, to the extent that we are required to store and retain your data.

Furthermore, we may process your personal data in order to establish our rights, to enforce our legal claims if necessary or to be able to defend ourselves against legal claims. Finally, we process your personal data to the extent necessary to defend or pursue criminal offenses. This processing is carried out to protect our legitimate interests pursuant to Art. 6 (1) (f) GDPR, to the extent that we establish legal claims, defend ourselves in legal disputes, or we prevent or investigate criminal offenses.

4. The categories of data we process if we do not receive data directly from you and their origin

The credit institutions regularly pass on to us the information relevant to you in connection with the Shareholders' Meeting for the purpose of maintaining the list of attendees. The same applies to your data concerning the order of access data (registration) for the Shareholders' Meeting.

5. Recipients or categories of recipients of your data

We use external service providers in some cases to conduct the Shareholders' Meeting. Your data will only be passed on to the following external parties:

- IT services providers;
- Shareholders' Meeting service providers that process the data as our processors;
- service providers for printing and mailing shareholder communications.

In addition, we may grant our advisors (e.g., lawyers, notaries, auditors, tax advisors), who are bound by contract or by law to maintain confidentiality, access to your data for the purpose of preparing, conducting or following up the Shareholders' Meeting.

If you participate in the Shareholders' Meeting, other shareholders of the Company may see the data recorded about you in the list of attendees (i.e. title, name, place of residence, number of no-par value shares held or represented) in accordance with section 129 of the German Stock Corporation Act (AktG). If you or your proxy request(s) information at the Shareholders' Meeting, your name or the name of your proxy will be disclosed to the other participants in the Shareholders' Meeting when the information is provided.

We will also not pass on your data to third parties, unless we are legally required to do so – in particular due to statutory provisions.

6. Duration of the storage of your data

We process your data as long as it is necessary to fulfill our legal obligations and for the other purposes mentioned.

In addition, we are subject to various retention and documentation obligations arising from, but not limited to, the German Stock Corporation Act (AktG), the German Commercial Code (HGB) and the German Fiscal Code (AO).

For the data collected in connection with Shareholders' Meetings, the storage period is usually up to three (3) years.

Usage data, such as your IP address or data collected for technically providing the online service, is stored for the duration of the respective use.

7. Your data protection rights

Under certain conditions, you can establish your data protection rights against us:

- Right of access: You will have the right to obtain confirmation from us at any time within the scope of Art. 15 GDPR as to whether we are processing personal data concerning you; where that is the case, you will also have the right within the scope of Art. 15 GDPR to obtain access to the personal data as well as certain other information and a copy of your data.
- Right to rectification: In accordance with Art. 16 GDPR, you will have the right to request that we rectify the personal data stored about you if it is inaccurate or incorrect.
- Right to erasure: You will have the right, under the conditions of Art. 17 GDPR, to request that we erase personal data concerning you without undue delay.
The right to erasure does not exist, among other things, if the processing of the personal data is necessary for (i) exercising the right of freedom of expression and information, (ii) compliance with a legal obligation to which we are subject (e.g. legal obligations to retain data) or (iii) the establishment, exercise, or defense of legal claims.
- Right to restriction of processing: You will have the right, under the conditions of Art. 18 GDPR, to request that we restrict processing of your personal data.
- Right to data portability: You will have the right, under the conditions of Art. 20 GDPR, to request that we hand over the personal data concerning you that you have provided to us in a structured, commonly used, and machine-readable format.
- Right to object: You will have the right, under the conditions of Art. 21 GDPR, to object to the processing of your personal data, meaning that we must stop processing your personal data. The right to object exists only within the boundaries provided for in Art. 21 GDPR. In addition, our interests may conflict with stopping processing, meaning that we will have the right to process your personal data despite your objection.
- Right to lodge a complaint with a supervisory authority: You will have the right, under the conditions of Art. 77 GDPR, to lodge a complaint with a supervisory authority, in particular in the Member State of your habitual residence, place of work or place of the alleged infringement, if you consider that the processing of personal data relating to you infringes the GDPR. The right to lodge a complaint is without prejudice to any other administrative or judicial remedy.

The data protection supervisory authority responsible for INDUS Holding AG is:

Landesbeauftragte für Datenschutz und Informationsfreiheit Nordrhein-Westfalen
Kavalleriestr. 2 – 4
40213 Düsseldorf

Your requests about exercising your rights should be addressed in writing, if possible, to the controller mentioned under 1. or directly to our Data Protection Officer.

8. Existence of automated decision-making in individual cases (including profiling)

We do not use purely automated decision-making processes pursuant to Art. 22 GDPR or profiling. If we should use such a procedure in individual cases in the future, we will inform you separately.

9. Scope of your obligations to provide data

In principle, you are not required to provide us with your personal data. However, if you do not do this, you will not be able to participate in the Shareholders' Meeting and you will not be able to use the online service to its full extent or not be able to use the online service at all.

Information on your right to object – Art. 21 GDPR

Right to object in the individual case

You have the right to object at any time to the processing of your data processed on the basis of Art. 6 (1) (f) GDPR (data processing on the basis of a weighing of interests) if there are grounds for doing so that arise from your particular situation.

If you object, 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 the processing serves the purpose of establishing, exercising or defending against legal claims.

The objection can be made without any form requirements and should preferably be addressed to: datenschutz@indus.de

April 2023