

## **Privacy notice to shareholders of STADA Arzneimittel AG**

Protecting your personal data and processing it in compliance with the law is a matter of high priority for us. For this reason, we would like to inform you herewith about the collection, processing and use of your personal data - in particular in connection with the preparation, conduction and follow-up of our General Meeting - by STADA Arzneimittel Aktiengesellschaft (**STADA Arzneimittel AG**) and your rights under the data protection provisions set out in the General Data Protection Regulation (**GDPR**) and the German Federal Data Protection Act (*Bundesdatenschutzgesetz - BDSG*).

We will conduct the General Meeting in 2020 as an assembly without presence using means of remote communication (virtual General Meeting) with the possibility of following the virtual General Meeting and exercising voting rights by means of electronic connection (Connection). Shareholders and their appointed representative can therefore not physically participate in the General Meeting. However, they can follow the entire General Meeting by video and audio transmission via the password-protected AGM portal, which is also used for electronic connection. The AGM portal is operated by our service provider Link Market Services GmbH, Landshuter Allee 10, 80637 Munich, Germany, exclusively on our behalf and according to our instructions. It can be accessed at the Internet address [www.stada.com/de/ao-hv2020](http://www.stada.com/de/ao-hv2020).

### **1. Who is responsible for data processing?**

The entity responsible for processing your personal data is:

STADA Arzneimittel AG  
Stadastraße 2 - 18  
61118 Bad Vilbel  
Telephone: + 49 (0) 61 01/ 603 0  
Telefax: + 49 (0) 61 01/ 65 29 5  
Email: [info@stada.de](mailto:info@stada.de)

If you have any questions on this privacy notice, you can contact the responsible data protection officer for STADA Arzneimittel AG via post or email at the following address:

Data Protection Officer  
SPIE Data Protection GmbH  
Dr. Anton Peuser  
Lyoner Straße 9  
60528 Frankfurt  
Telephone: + 49 (0) 69 66 49 – 69 20  
Email: [compliance@stada.com](mailto:compliance@stada.com)

### **2. What personal data do we process and where do we get them from?**

We process your following personal data:

- Personal data (e.g. first and surname, title, birth name, date of birth, gender, nationality, job/sector, address, including a history of address changes and other contact details such as your shipping address)

- Shareholder data (shareholder number, shareholder category (natural or legal person), investment date)
- Information on your shareholding (history of shares acquired and sold, including the nominal amounts, registration and transaction date, processing bank)
- Name and address of your authorized representative if applicable
- Login data for the STADA online AGM portal

In addition, we process the name and address of any proxy authorized by the shareholder.

Our shares are so-called registered shares. Concerning registered shares, section 67 AktG (German Stock Corporation Act) provides that they shall be entered into the company's share register stating the name, date of birth and address of the shareholder, as well as the number of shares or share number and in the case of par-value shares the amount. As a shareholder, you are legally obliged to provide us with this information. As a rule, the credit institutions involved in the acquisition or custody of the registered shares held by you in our company provide the relevant information for the share register on your behalf to Computershare Deutschland GmbH & Co. KG, the company maintaining the share register. The data is transferred via Clearstream Banking AG domiciled in Frankfurt, the central securities depository in charge of the technical execution of securities transactions and the custody of the shares for the credit institutions. Clearstream Banking AG also informs us about any deregistration of your shares from the share register.

If you act as a proxy appointed by a shareholder, we will receive your personal data from the shareholder who has granted you the power of attorney and directly by you, insofar as your conduct in the virtual General Meeting or your use of the AGM portal is affected.

Apart from the personal data stored in our company's share register, we process personal data provided by you in connection with the registration process for attending the General Meeting or transferred to us by your custodian banks on your behalf for this reason. In addition, we also process information on motions, questions, election proposals and other requests by shareholders or their appointed proxies submitted in relation to the General Meeting and their voting behavior.

If you visit our AGM portal on the Internet, we collect data on accesses to our AGM portal. The following data and device information is recorded in the web server log files:

- retrieved or requested data;
- date and time of the retrieval;
- message whether the retrieval was successful;
- type of web browser and operating system used;
- referrer URL (the previously visited page);
- IP address;
- shareholder number and session ID; and
- login.

Your browser automatically transfers this data to us when you visit our AGM portal.

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

We process your personal data in compliance with the provisions of the GDPR, the BDSG, the German Stock Corporation Act (*Aktiengesetz*, **AktG**) as well as any other relevant legal provisions.

Your personal data will be used in accordance with the purposes set forth in the German Stock Corporation Act. These purposes include the maintenance of the share register, the communication with shareholders and various processes in connection with the organization and realization of general meetings. Personal data is processed in relation to general meetings for the purpose of managing shareholders' registration for and connection to the general meeting (e.g. checking the right of admission) and allowing shareholders to exercise their rights in connection with the general meeting (including the granting and revocation of proxies). The legal basis for processing your personal data in this context is the German Stock Corporation Act in conjunction with Art. 6(1) lit. c) GDPR.

In addition, we process data transferred by you or other persons who are required to notify as part of voting rights notifications in accordance with the German Securities Trading Act (*Wertpapierhandelsgesetz*). The relevant statutory provisions and Art. 6(1) lit. c) GDPR serve again as the legal basis for processing data in these cases.

In addition, your personal data may also be processed for meeting further legal obligations such as regulatory requirements as well as retention obligations under stock corporation law, commercial law and tax law. We are required, for example, to record the power of attorney granted to the proxy designated by us for the general meeting so that it can be verified and to keep and protect it against third-party access for a period of three years. The relevant legal basis in these cases is again Art. 6(1) lit. c) GDPR.

If you grant a power of attorney to the proxy designated by us for the general meeting to exercise your voting rights, and if this proxy represents you by disclosing your name, we will include your name or firm, your place of residence or registered office, the number of shares you own, the type of ownership and the granting of this power of attorney in the list of participants of the general meeting. This is accessible during the general meeting on the AGM portal for all shareholders or their proxies who are logged in and it can be inspected by any shareholder on request for up to two years thereafter. The legal basis for making the list of participants accessible on the AGM portal is Art. 6 (1) lit. f) GDPR. We and our shareholders have a legitimate interest in aligning the course of the virtual general meeting as closely as possible to a physical general meeting. In particular, this processing also serves the legitimate interest of our shareholders of being able to better control the correctness of the evaluation of votes cast in this way. However, the legal basis for preparing and keeping the list of participants available for inspection after the general meeting is Article 6 (1) c) GDPR and our corresponding obligation under stock corporation law pursuant to section 129 (1) sentence 2 and (4) sentence 2 AktG.

### **Operation of the AGM portal for holding the virtual General Meeting**

The processing of the above-mentioned access data and device information in web server log files is necessary in order to be able to provide the AGM portal technically, as well as for misuse detection, troubleshooting and to ensure the proper course of the virtual General Meeting. In this respect, we have a justified interest in making the AGM portal available as a service for shareholders and shareholder representatives in order to exercise their shareholder rights in a user-friendly manner and connect to the virtual General Meeting. The legal basis for these processing operations is Art. 6(1) lit. f) GDPR.

When you register on the AGM portal, we process your registration information (shareholder number and password) in order to verify your entitlement to connect to the virtual General Meeting as a shareholder or shareholder representative or to take preparatory measures.

The processing is required to fulfil our obligations under stock corporation law in accordance with Sections 118 et seqq. AktG. The legal basis for the processing is Art. 6 para. 1 lit. c) GDPR, if necessary in connection with Art. 1 para. 2 nos. 2 and 4 of the Act on Measures in Corporate,

Cooperative, Association, Foundation and Home Ownership Law to Combat the Effects of the COVID 19 Pandemic (*Gesetz über Maßnahmen im Gesellschafts-, Genossenschafts-, Vereins-, Stiftungs- und Wohnungseigentumsrecht zur Bekämpfung der Auswirkungen der COVID-19-Pandemie; C19-AuswBekG*).

The processing of your personal data is necessary for the proper conduct of the virtual General Meeting. If you do not provide us with the necessary personal data, we may not be able to connect you to the virtual General Meeting.

If you as a shareholder make use of the opportunity to submit questions in advance of the virtual General Meeting via our AGM portal and your questions are considered there, this will always be done by stating your name. Other shareholders and shareholders' representatives who are connected to the virtual General Meeting may take note of your name. This data processing is necessary in order to safeguard our legitimate interest in aligning the course of the virtual General Meeting as closely as possible to a physical General Meeting and to protect the legitimate interest of the other shareholders and shareholders' representatives who connect to the General Meeting in knowing the name of a questioner. The legal basis for this processing is Art. 6(1) lit. f GDPR.

### **Cookies**

For our AGM portal we use technically absolutely necessary cookies. Cookies are small files that are stored on your desktop, notebook or mobile device by a website that you visit. From this we can recognise, for example, whether there has already been a connection between your device and our AGM portal, or which language or other settings you prefer. Cookies can also contain personal data. You can set your browser so that you are informed about the setting of cookies and allow cookies only in individual cases, exclude the acceptance of cookies for specific cases or in general and activate the automatic deletion of cookies when closing the browser. If you decide against the use of cookies, it is possible that not all functions of our AGM portal will be available to you or that individual functions will only be available to a limited extent.

The necessary session cookies we use are only used for the purpose of providing the AGM portal and for the registration and identification of shareholders. They are absolutely necessary for the functions of the AGM portal and are deleted when you close your browser.

The setting of and access to the data stored in absolutely necessary cookies and the processing of personal data associated with these cookies is necessary to safeguard our legitimate interest in enabling our shareholders and shareholder representatives to visit our AGM portal. The legal basis for this processing is Art. 6(1) lit. f GDPR.

If, in providing the AGM portal, we wish to use cookies that are not absolutely necessary for the operation of the AGM portal, such as functional or performance cookies, we will only do so if you have given your consent. In this case, when you visit the AGM portal, we will inform you in a pop-up window about our cookies and associated data processing before using cookies and ask you for your voluntary consent.

### **Other processing in connection with the holding of the general meeting**

We are furthermore entitled to process your data for safeguarding our legitimate interests or the legitimate interests of a third party in accordance with Art. 6(1) lit. f) GDPR. This is, for example, the case when we prepare analyses and statistics (e.g. for describing the shareholder structure and development or the trading volumes or presenting a survey of our major shareholders) or when we have to exclude, in case of any capital increases, individual shareholders or groups of shareholders, due to their nationality or place of residence, from the provision of information on subscription offers to avoid a breach of law in specific countries.

Furthermore, we have a legitimate interest when we wish to prevent or disclose illegal activities, fraud or similar threats in order to protect ourselves against any damage. Before processing your data on the basis of our legitimate interests, we will check on a case-by-case basis by way of a balancing of interests whether our interests override your interests. You can obtain further details about such a balancing of interests from our Data Protection Officer at the address specified under no. 1 above.

If we intend to process your personal data for any purpose other than those mentioned above, we will inform you of any such intention in advance in compliance with the statutory provisions and obtain your consent, if required.

#### **4. With which recipients do we share you data?**

Computershare Deutschland GmbH & Co. KG, Elsenheimerstraße 61, 80687 Munich has been commissioned with the technical maintenance of the share register of STADA Arzneimittel AG.

For managing our general meetings, we make use of external service providers, e.g. service providers for the organisation of general meetings, for printing and sending invitations to general meetings and notifications to shareholders as well as for conducting general meetings (primarily checking connection, technical infrastructure for voting and documentation of general meetings). The AGM portal is operated by our service provider Link Market Services GmbH, Landshuter Allee 10, 80637 Munich, Germany, exclusively on our behalf and according to our instructions.

However, the service providers commissioned by us receive only such personal data that is required for the provision of the service requested and they process the data exclusively in accordance with our instructions. All our employees and all employees of external service providers who have access to and/or process personal data are obliged to treat this data as confidential.

If we include your above-mentioned data in the list of participants of the general meeting, this data will be accessible during the general meeting on the AGM portal for all shareholders or their proxies who are logged in and can be inspected by any shareholder upon request for up to two years after the general meeting.

If a shareholder demands any items to be included on the agenda, we will announce such items by indicating the name of the shareholder in accordance with the requirements under stock corporation law. We will also publish shareholders' counter-proposals and nominations on the company's website by indicating the name of the shareholder in accordance with stock corporation law provided the requirements are met.

If you as a shareholder make use of the opportunity to submit questions and your questions are dealt with during the General Meeting, this will in principle be done by stating your name. Other shareholders and shareholders' representatives who connect to the General Meeting may take note of this name.

We furthermore make use of external service providers for conducting the analyses mentioned under no. 3 above. Finally, we may be required to transfer your personal data to further recipients, e.g. when publishing notifications of voting rights in accordance with the provisions of the German Securities Trading Act, or to authorities in compliance with statutory notification requirements (e.g. to tax or prosecuting authorities).

Your data is processed solely in the European Union.

## **5. How long do we store your data?**

We will erase or anonymize your personal data once it is no longer needed for the aforementioned purposes and we are no longer required to continue storing such data in compliance with statutory obligations of documentation and retention (e.g. under the German Stock Corporation Act, the German Commercial Code, the German Fiscal Code or other legal provisions).

The data collected in the share register is stored by us during the holding period and kept after the complete sale of all your shares on the basis of the obligations of documentation and retention under commercial and tax laws for a minimum period of ten years as a rule. In addition, we also retain data if required in relation to claims asserted by or against our company or for safeguarding our aforementioned legitimate interests.

If you have specific questions concerning the storage period, please contact our Data Protection Officer.

## **6. How do we protect your data?**

We maintain appropriate technical and organisational security measures to protect your personal data against any accidental, unlawful or unauthorized destruction, loss, alteration, disclosure or use.

## **7. What rights do you have under data protection law?**

Shareholders and shareholder representatives have the right as persons affected - if the legal requirements are met,

- to receive information on data processing and a copy of the processed data (right of access, Art. 15 GDPR)
- demand the correction of incorrect data or the completion of incomplete data (right to correction, Art. 16 GDPR)
- to demand the immediate deletion of personal data (right to deletion, Art. 17 GDPR)
- to demand the restriction of data processing (right to restrict processing, Art. 18 GDPR),
- as well as to receive personal data concerning them that they have provided to a responsible party in a structured, common and machine-readable format, and also to transmit these data to another responsible party without hindrance by the responsible party (right to data transferability Art. 20 GDPR)

### **Right to object to the processing of data for safeguarding legitimate interests**

In the event and to the extent we process your data for safeguarding legitimate interests of STADA Arzneimittel AG or a third party, you have the right to object to any such processing on specific grounds relating to your particular situation. In such case, we will cease the processing unless we can provide evidence of compelling legitimate grounds for the processing that override your interests, rights and freedoms or if the processing serves the purpose of asserting, exercising or defending legal claims.

You can assert the aforementioned rights by contacting our Data Protection Officer at the address specified under no. 1 above. Please note that there may be statutory exceptions (e.g. continuing retention obligations) that limit the exercise of your rights.

## **8. Do you have any complaints about the handling of your data?**

If you have any complaint regarding the processing of your personal data, you can contact our Data Protection Officer using the contact details listed at no. 1 above to clarify the facts directly with us.

Irrespective thereof, you also have the right to lodge a complaint with a competent data protection authority. The competent authority can be found at the following link: [https://www.bfdi.bund.de/DE/Infothek/Anschriften\\_Links/anschriften\\_links-node.html](https://www.bfdi.bund.de/DE/Infothek/Anschriften_Links/anschriften_links-node.html)

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The information in this document was updated in: August 2020

In case of any relevant changes, we will provide an update of this information on our website [www.stada.com/dataprotectionnotice-shareholders](http://www.stada.com/dataprotectionnotice-shareholders). Furthermore, we will review on a case-by-case basis whether a change of this information will give rise to any obligation to provide another form of notification and we will comply with any such notification obligation accordingly.

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