

## Information on processing personal data for shareholders, shareholder representatives and guests at the virtual general shareholders' meeting of COMMERZBANK Aktiengesellschaft

Commerzbank AG ("we", "us", "our", the "Company") is very serious about protecting your data. We would like to provide you an overview in the following information about the processing of your personal data in connection with conducting our general shareholders' meeting and your rights under data protection law (Art. 13 et seq. GDPR).

### Who is responsible for the data processing and who can I contact?

The responsible person is:

Commerzbank AG  
Kaiserplatz  
60261 Frankfurt am Main  
Telephone: +49 69 98660208  
meinebank@commerzbank.com

You can reach our company data protection officer at:

Commerzbank AG  
Data Protection Officer  
Kaiserplatz  
60261 Frankfurt am Main  
Telephone: +49 69 98660208  
datenschutzbeauftragter@commerzbank.com

### Which personal data are involved?

If you grant a proxy as a shareholder, we collect personal data about you and/about your representative:

- last name and first name
- contact data (e.g. address, email address)

We also process the following data of shareholders and their representatives (shareholder proxies):

- data related to the shares (e.g. number of shares, class of shares, type of possession of the shares, proxies/directives, if appropriate, questions submitted by the respective shareholder and any submitted statement or video message)
- data related to the general shareholders' meeting (e.g. access data of the confirmation of registration)

We may collect the names and contact details of guests attending our general shareholders' meeting.

### For which purposes are data processed and what is the legal basis?

We collect and use the personal data provided by you for the following purposes:

- for your participation at the virtual general shareholders' meeting by way of electronic access
- in order to fulfill the requirements under stock corporations' law (e.g. for the list of participants)
- in order to make it possible to exercise the voting right by way of absentee ballot or granting of a proxy to the Voting Rights Representative of the Company
- in order to answer the questions submitted by way of electronic communication prior to the general shareholders' meeting.

The processing of the personal data is mandatorily required by law in order to correctly prepare and conduct the virtual general shareholders' meeting, to exercise the voting rights as well as to watch by way of electronic connection.

The legal basis for the processing is Art. 6 para. 1 sentence 1 lit. c) EU General Data Protection Regulation (GDPR) in conjunction with §§ 67e, 118 et seq. German Stock Corporations Act [*Aktiengesetz*, "AktG"] and § 1 para. 2 of German Act on Measures in the Law on Corporations, Cooperatives, Associations, Foundations and Condominium Property to Combat the Effects of the COVID-19 Pandemic (Art. 2 of the Act to Mitigate the Consequences of the COVID-19 Pandemic in Civil Law, Insolvency and Criminal Procedure, Federal Official Journal (*Bundesgesetzblatt*) I 2020, p. 569, the "Covid-19 Act") in the version amended by Art. 11 of the Act to further shorten the Procedure for Release from Remaining Debt and for Adjustment of Pandemic-Related Provisions in the Law Governing Corporations, Cooperatives, Associations and Foundations as well as in Landlord/Tenant Law (Federal Official Journal (*Bundesgesetzblatt*) I 2020, p. 3328).

In addition, data processing necessary for the organization of the virtual general shareholders' meeting may be carried out on the basis of overriding legitimate interests (Art. 6 paragraph 1 sentence 1 lit. f) DSGVO).

We also process your data in other specific situations, to the extent this is necessary to preserve our legitimate interests (Art. 6 para. 1 sentence 1 lit. f) GDPR), including for statistical purposes or for participation as a guest at our general shareholders' meeting.

In the shareholder portal on our internet page, we use your personal data as a shareholder only for the purpose for which you have provided us with the data, e.g. to provide you with access to the general shareholders' meeting services including the watching of the virtual general shareholders' meeting by electronic connection, to document votes cast by you by absentee ballot or by proxy to the Voting Rights Representative of the Company and your corresponding instructions, to

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document questions, statements or video messages submitted by you, to document an objection you have lodged against a resolution of the general shareholders' meeting, to contact you in the event of contact and service inquiries, or to provide you with access to certain information.

### **Who do we receive personal data from?**

We and the service providers engaged by us receive the personal data of the shareholders normally from credit institutions who have been instructed by shareholders to hold their shares in custody (so-called securities account banks or last intermediary) through the registration office.

### **Who receives your data?**

Your data are processed within Commerzbank AG by the employees involved in organizing the virtual general shareholders' meeting.

In addition, we use some external service providers to fulfill our contractual duties and duties under the law, and these providers have obligations to comply with data protection law under the processing agreements, Art. 4 no. 8 GDPR.

The service providers retained by us for the purpose of conducting the virtual general shareholders' meeting process the personal data of the shareholders exclusively in accordance with our instructions and only to the extent this is necessary to perform the contracted service. All employees of Commerzbank AG and the employees of the retained service providers who have access to personal data of the shareholders, shareholder proxies and guests and/or who process these data have an obligation to treat these data as confidential. In addition, personal data of shareholders and shareholder proxies who execute their voting right can be viewed by other shareholders and shareholder proxies as provided for in the law (especially the list of participants, § 129 AktG). The same applies in connection with the answering of questions that shareholders or shareholder proxies may have asked in advance (§ 1 paragraph 2 sentence 1 no. 3 und sentence 2 Covid-19 Act). The Company reserves the right to state the names of persons posing questions when answering questions. Personal data of shareholders and proxies will also be published or made available to other shareholders and proxies in the case of motions to supplement the agenda, opposing motions, nominations for election or submitted statements or video messages as well as submitted objections under certain circumstances within the parameters set by the law.

In addition, under certain circumstances we may transmit video or audio recordings to representatives of the press who process them for journalistic purposes (Art. 6 para. 1 lit. f and Art. 85 DSGVO in conjunction with Art. 22 f KunstUrhG).

### **Which rights do you have with regard to your personal data?**

To the extent permitted by applicable law, you have the right to:

- information about the processed personal data
- correction, restriction and update of your personal data as well as completion of incomplete personal data
- erasure of your personal data if the data are no longer needed to fulfill the above referenced purposes
- objection against the processing of your personal data (see below)
- submission of a complaint to us and/or the data protection supervisory authority that has jurisdiction over us

### **Information about your right to object pursuant to Art. 21 GDPR**

You have the right to object at any time, subject to the prerequisites set forth in the law, to the processing of personal data related to you conducted on the basis of Article 6 para. 1 sentence 1 lit. f) GDPR (data processing on the basis of a weighing of interests) based on reasons resulting from your specific situation.

If you submit an objection, we will no longer process your personal data unless we can prove necessary grounds for the processing deserving of protection which outweigh your interests, rights and freedoms or if the processing serves to assert, exercise or defend against legal claims.

The objection does not require any specific form and can be declared stating your name, your address and your date of birth to the following address:

Commerzbank AG  
Kaiserplatz  
60261 Frankfurt am Main  
Telephone: +49 69 98660208  
widerspruch@commerzbank.com

### **Are you required to provide the requested personal data?**

Yes, we need the data in order to be able to fulfill requirements under stock corporations' law and enable you to exercise the rights as a shareholder.

### **How long do we retain your personal data?**

We erase the personal data of the shareholders, shareholder proxies and guests in accordance with the provisions in the law, especially when the personal data are no longer needed for the original purposes for which they were collected and processed and when the data are no longer needed in connection with any administrative or court proceedings and when there are no statutory duties to retain the data.