

Information on the processing of personal data for shareholders and shareholder representatives regarding the virtual Shareholders' Meeting of LANXESS Aktiengesellschaft 2021

Compliance with the provisions of data protection law is very important to LANXESS Aktiengesellschaft (hereinafter „we“ or „us“). In the following, we would like to inform our shareholders and shareholder representatives about the processing of their personal data in the light of our virtual Shareholders' Meeting and their rights under data protection law.

Further information regarding the processing of personal data by LANXESS Aktiengesellschaft can be accessed online under <https://lanxess.com/en/Mandatory-Information/Privacy-Statements>

Controller:

The Controller of the processing of personal data is LANXESS Aktiengesellschaft. You may reach LANXESS Aktiengesellschaft at:

LANXESS Aktiengesellschaft
Kennedyplatz 1
50569 Köln
E-Mail: hv2021@lanxess.com

You may address your questions or comments on the processing of personal data to the data protection officer of LANXESS Aktiengesellschaft at:

LANXESS Aktiengesellschaft
Der Datenschutzbeauftragte (*Data Protection Officer*)
Kennedyplatz 1
50569 Köln
E-Mail: datenschutz@lanxess.com

Purposes and legal bases of the processing:

We process your personal data in full compliance with the provisions of the EU General Data Protection Regulation (GDPR), the German Federal Data Protection Act (*Bundesdatenschutzgesetz*), the German Stock Corporation Act (*Aktiengesetz*, „AktG“) and all other applicable laws and regulations.

LANXESS Aktiengesellschaft generally will receive the shareholders' personal data via the registration office of the custodian bank/credit institution that the shareholders have entrusted with the safekeeping of their bearer shares (so-called depository bank, „*Depotbank*“). In some cases, LANXESS Aktiengesellschaft may receive personal data directly from shareholders.

We use your personal data (e.g. last name and first name, address, email address, number and class of shares, type of ownership of shares, votes/instructions and registration information for the online shareholders' portal) as well as personal data of your shareholder representatives, where applicable, for the preparation and conduction of our virtual Shareholders' Meeting, for the exercise of voting rights, for enabling the exercise of voting rights by postal vote or by authorizing the proxies of the company, for virtual attendance at the virtual Shareholders' Meeting through the online shareholders' portal and for responding to questions submitted prior to the virtual Shareholders' Meeting by way of electronic communication. Processing of personal

data for these purposes is a mandatory requirement under applicable law. The legal basis for the processing of your personal data is the AktG (in particular Sections 118 et seqq. AktG) in conjunction with Article 6 (1) sentence 1 lit. c) GDPR and Section 1 (2) of the Act Combatting the Effects of the COVID 19 Pandemic as regards Companies, Cooperatives, Associations, Foundations and Home Ownership in Germany of 27 March 2020 ("Covid 19 Act").¹

In addition, data processing activities that are necessary for organisational purposes of our virtual Shareholders' Meeting may be carried out on the basis of overriding legitimate interests (Article 6 (1) sentence 1 lit. f) GDPR).

Further, we use your personal data on the basis of Article 6 (1) sentence 1 lit c) and (4) GDPR for purposes that are compatible with the aforementioned purposes (in particular, for preparing statistics on, for instance, the changes in the shareholder structure, the number of transactions or overviews of major shareholders).

We also process your personal data, where necessary, to comply with other legal obligations, e.g. regulatory requirements, record retention requirements under stock corporation, commercial and tax laws. In the context of the authorization of company-named proxies for the virtual Shareholders' Meeting, for example, we are obligated under the provisions of the German stock corporation law to keep a verifiable record of the data provided as proof of the authorization. In this case, the legal basis for the processing of personal data is the respective legal provisions and Article 6 (1) sentence 1 lit. c) GDPR.

In our online shareholders' portal, in principle, we only use your personal data for the purpose for which you made the data available to us; for instance, in order to enable you to access the virtual Shareholders' Meeting services including the possibility to attend the virtual Shareholders' Meeting through our online shareholders' portal, for the documentation of your online registration for the virtual Shareholders' Meeting, for the documentation of votes by postal voting or by an authorized proxy including any instructions you may have issued, for the submission of questions in advance of the virtual Shareholders' Meeting, for the documentation of any objection filed by you against a resolution of the virtual Shareholders' Meeting, for communication in the context of contact and service requests in connection with the Shareholders' Meeting or in order to provide you with access to specific information.

In the event that we intend to process your personal data for a purpose that was not previously mentioned, we will inform you in advance in accordance with and subject to applicable statutory provisions.

Recipient(s) of your data:

For the organization of the virtual Shareholders' Meeting, we commission, to some extent, third-party service providers as well as group-affiliated companies that will be granted access to your personal data in the context of the tasks assigned to them. In the context of commissioned data processing, our partners are carefully selected and are obligated pursuant to Article 28 GDPR to observe the data protection standards of LANXESS Aktiengesellschaft. The service providers and group affiliated companies commissioned by us will process your personal data exclusively as instructed by us and only to the extent that this is necessary for the performance of the services commissioned. All employees of LANXESS Aktiengesellschaft, the group of companies as well as all staff of commissioned service providers who have access to and/or process your personal data have committed to treat such data confidentially.

¹ In German: „Gesetz über Maßnahmen im Gesellschafts-, Genossenschafts-, Vereins-, Stiftungs- und Wohnungseigentumsrecht zur Bekämpfung der Auswirkungen der COVID-19-Pandemie vom 27. März 2020“.

In the course of the virtual Shareholders' Meeting, personal data of shareholders or shareholder representatives exercising their voting rights will be made available to other shareholders and shareholder representatives as required by law (in particular the list of participants, Section 129 AktG). This also applies to questions that shareholders or shareholder representatives may have submitted in advance of the virtual Shareholders' Meeting (cf. Section 1 (2) No. 3 Covid 19 Act) and in connection with any objections and any motions submitted in advance to include additional items in the agenda, counter-motions or nominations for elections. In particular, the Managing Board remains entitled to disclose the name of the shareholder or the shareholder representative when responding to questions at the Shareholders' Meeting.

Furthermore, we may be obligated to transmit your personal data to further recipients such as, for instance, public authorities in order to comply with statutory reporting obligations.

Storage period:

We will anonymize or erase your personal data as soon as they are no longer required for the aforementioned purposes, the personal data is no longer required for any administrative or court proceedings, if any, and no other statutory obligations to furnish evidence or record retention requirements (e.g. under the AktG, under the German Commercial Code (*Handelsgesetzbuch*) or under the German Tax Code (*Abgabenordnung*) apply or any reasons justifying the storage exist.

Rights of the data subjects:

Subject to the statutory requirements, you have the right to access information (Article 15 GDPR) about your processed personal data and to require rectification (Article 16 GDPR) or erasure (Article 17 GDPR) of your personal data or the restriction of processing (Article 18 GDPR) using the above stated contact information.

Furthermore, you may also contact the competent supervisory authority.

Right to object (Article 21 GDPR): If we process your data for the purposes of the legitimate interests pursued by us (Article 6 (1) sentence 1 lit f) GDPR), you may object to such processing on grounds relating to your particular situation that oppose such data processing. Please submit your objection to the contact address indicated above.
