

# VOLKSWAGEN

AKTIENGESELLSCHAFT

## Information on data protection for shareholders and shareholder representatives

### A. Controller

We are delighted that you will be taking part in the Annual General Meeting of Volkswagen Aktiengesellschaft, Berliner Ring 2, 38440 Wolfsburg, Germany, registered in the commercial register of the Local Court of Braunschweig under the number HRB 100484 ("Volkswagen AG"). Due to the COVID-19 pandemic, we are holding the Annual General Meeting as a remote event ("virtual Annual General Meeting") and enabling you to take part and exercise your rights as a shareholder or shareholder representative through the shareholder portal, which we are making available to you via our service provider Link Market Services GmbH ("Link"). Via the shareholder portal, shareholders (or their representatives) have the opportunity to submit a statement by video; the stream and storage of the file is carried out by the service provider movingimage EVP GmbH ("movingimage"). In the following, we inform you about the processing of your personal data by Volkswagen AG in connection with your visit to our shareholder portal and the holding of the virtual Annual General Meeting.

Our data protection officer is available to you for any matters relating to data protection:

Volkswagen AG Data Protection Officer  
Berliner Ring 2  
38440 Wolfsburg  
Germany  
Phone +49 5361 9-0  
Email: [datenschutz@volkswagen.de](mailto:datenschutz@volkswagen.de)

### B. Processing of personal data

#### a. Operation of our shareholder portal

If you visit our shareholder portal, we will process the following data about you:

- an anonymous cookie ID, which does not enable your IP address to be inferred;
- the operating system you are using, the web browser you are using, and the screen resolution you have set;
- the date and time of your visit;
- the website within our internet presence that you have visited;
- the website from which you are visiting us; and
- the IP address of your device with which you are accessing our shareholder portal.

Your browser automatically transmits this data to us.

The shareholder portal takes into account the latest security standard (256bit encryption). Your data is encrypted directly during transmission, and all data protection-relevant information is stored in encrypted form in a protected database.

All data collected via cookies, device identifiers and similar procedures are always used anonymously by us and are not merged with customer or profile data stored by us. A session cookie is used to manage access. The deletion takes place automatically after closing the browser. A cookie to store the consent of the cookie bar function and thus a hiding of the function in the view is deleted after 10 days.

In the event that users do not wish the use of cookies, we would like to point out that we cannot guarantee that the portal will function properly without the use of cookies. Without the use of cookies, some functions of the websites and applications may not be available or certain pages may not be displayed.

This data is processed to safeguard our legitimate interests, provide you with the shareholder portal, enable participation in the virtual Annual General Meeting, ensure the virtual Annual General Meeting runs smoothly, avoid improper use, and rectify faults. In this respect, the legal basis for the processing is Art. 6 (1) f) of the General Data Protection Regulation ("GDPR").

This data is erased immediately after the shareholder portal has been switched off.

#### b. Holding the virtual Annual General Meeting

Volkswagen AG processes the following data in connection with holding the virtual Annual General Meeting:

- title, last name, first name;
- contact details (e.g., address, email address, telephone number);
- share-related data (e.g., number of shares, class of shares, type of ownership of shares, voting rights);
- data relating to the Annual General Meeting (e.g., registration confirmation number [login data and access data], exercise of voting rights and other rights)

to enable the shareholders and their representatives to participate in the virtual Annual General Meeting and exercise their rights in accordance with the Aktiengesetz (AktG – German Stock Corporation Act), the Gesetz über Maßnahmen im Gesellschafts-, Genossenschafts-, Vereins-, Stiftungs- und Wohnungseigentumsrecht zur Bekämpfung der Auswirkungen der COVID-19-Pandemie (COVID-19-Gesetz – Act Concerning Measures Under the Laws relating to Companies, Cooperative Societies, Associations, Foundations and Commonhold Property to Combat the Effects of the COVID-19 Pandemic) and the Articles of Association of Volkswagen AG. The processing is carried out in this context particularly:

- to check entitlement to take part in the Annual General Meeting;
- to dispatch of registration confirmations (login data)/admission tickets;
- to vote for agenda items;
- to submit questions;
- to submit statements by video;
- to prepare the list of an attendees;
- to record proxies and instructions and their revocation, the voting procedure, and possible objections to Annual General Meeting resolutions.

Processing your personal data is necessary to meet our legal obligations (particularly under sections 67c (3), 118, 123 (2), 129 (1) sentence 2 and 130 (6) AktG and section 1 (1), 2 no. 2 and no. 4 COVID-19-Gesetz). The legal basis for the processing is thus Art. 6 (1) c) GDPR.

Please note, to participate to the Annual General Meeting a proper registration is obliged according to Aktiengesetz (AktG – German Stock Corporation Act). A proper registration requires the processing of personal data.

If you as a shareholder or shareholder representative make use of the option of submitting questions or a statement by video in advance of the virtual Annual General Meeting or of asking such questions (where permitted) during the virtual Annual General Meeting and your questions or statement are/is addressed there, we process and mention your name. Your name may be noted by other participants in the virtual Annual General Meeting. This data processing is necessary to safeguard our legitimate interest, to make the functioning of the virtual Annual General Meeting as similar as possible to a physical Annual General Meeting and to safeguard the legitimate interest of the other participants in the Annual General Meeting to learn the name of a party asking a question or submitting a statement. The legal basis for this processing in this respect is Art. 6 (1) f) GDPR. By way of exception, the questioner's name will not be mentioned if the shareholder explicitly objects to being named when submitting the question. The Company reserves the right to make statements submitted in a timely manner available by video in the shareholder portal, to broadcast them as part of the video and audio transmission of the Annual General Meeting, insofar as this is feasible from an organizational point of view and compatible with a timely frame of the Annual General Meeting, or to make them available on the Company's website under [www.volkswagenag.com/ir/agm](http://www.volkswagenag.com/ir/agm).

We retain this data in accordance with statutory obligations, e.g., due to regulatory requirements and stock-corporation-law, commercial-law and tax-law retention obligations. For example, we are obliged by law, after the end of the Annual General Meeting,

- to verifiably document proxy forms for proxy holders and retain these for three years in such a manner that they are protected from access (section 134 (3) sentence 5 of the AktG);
- to retain a confirmation of whether and how votes were counted for each voter for four weeks (section 129 (5) AktG);
- to retain a list of attendees for two years (section 129 (4) AktG).

The legal basis for fulfilling the legal retention obligations in this respect is Art. 6 (1) c) GDPR.

We also store the mentioned data to safeguard justified interests of Volkswagen AG for defending against potential legal claims. Furthermore, we use aggregate information about the residence of shareholders to plan the capacity for the location of future Annual General Meetings. The legal basis for this processing in this respect is Art. 6 (1) f) GDPR. The data will be erased after three years starting at the end of the year the Annual General Meeting has been conducted.

After the end of the storage periods, we will erase your data unless another legal basis for further storage exists.

### c. Keeping a guest list

Volkswagen AG also enables guests to participate in the virtual Annual General Meeting in special cases and keeps a guest list to this end. In connection with this, Volkswagen AG processes:

- title, name, first name;
- contact details (e.g., address, email address, telephone number).

The legal basis for this processing is your consent (Art. 6 (1) a), Art. 7 GDPR). You can revoke your consent free of charge at any time with effect for the future by contacting Volkswagen AG. Further information on asserting your rights can be found in this data protection statement in the “Rights with regard to your personal data” session.

The personal data is erased after four years unless another legal basis for further storage exists.

#### **d. Data sources**

Volkswagen AG receives personal data in connection with holding the virtual Annual General Meeting directly through the shareholder or shareholder representative or through the registration agent of the custodian bank (the bank that the shareholder has entrusted with the safe custody of their shares).

#### **e. Disclosure of your data**

Volkswagen AG employs the service provider Link to provide the shareholder portal and to hold and prepare the virtual Annual General Meeting and provide follow-up services after it. This service provider is only given the personal data necessary for carrying out the commissioned service from Volkswagen and only processes the data in accordance with the instructions of Volkswagen AG as a processor.

Otherwise, personal data is only shared in accordance with statutory requirements. This particularly concerns:

- the list of attendees, which records the fact of your participation in the virtual Annual General Meeting, specifying your name, your place of residence, the number of the shares you hold and the type of ownership, and which can be viewed by other shareholders and participants in the Annual General Meeting during the Annual General Meeting and can be viewed by shareholders for two years after the Annual General Meeting has been held (section 129 (4) AktG);
- the announcement of agenda items and nominations and counter-nominations on the website of the Group, specifying the submitting shareholder in accordance with the requirements of stock-corporation law (section 126 (1) AktG);
- sharing your data with additional recipients outside of the Group. This concerns, for example, publications of voting rights announcements in accordance with the requirements of the Wertpapierhandelsgesetz (WpHG – German Securities Trading Act) or disclosure to public bodies on the basis of legal requirements (e.g., tax and law-enforcement authorities).

#### **f. Rights with regard to your personal data**

You can enforce the following rights against Volkswagen AG free of charge at any time.

##### **Right of access:**

You have the right to receive information on the processing of your personal data (Article 15 GDPR).

##### **Right to rectification:**

You have the right to obtain the rectification of inaccurate or incomplete personal data concerning you from us (Article 16 GDPR).

##### **Right to erasure:**

You have the right to obtain the erasure of your data where the conditions set out in Article 17 GDPR are met. You can then, for example, obtain the erasure of your data if it is no longer necessary for the purposes for which it was collected. In addition, you can obtain erasure if we are processing your data on the basis of your consent and you revoke this consent.

##### **Right to restriction of processing:**

You have the right to obtain restriction of processing of your data if the conditions of Article 18 GDPR are met. This is, for example, the case if you dispute the accuracy of your data. For the duration of the verification of the accuracy of the data, you can obtain restriction of processing.

##### **Right to object:**

If the processing takes place on grounds of the legitimate interests of Volkswagen AG or a third party or is in the public interest or in the exercise of an official authority, you have the right to object to the processing of your data on grounds relating to your particular situation. In the event of objection, we ask you to inform us of your reasons for objecting to the data processing. In addition, you have the right to object to data processing for direct marketing purposes (Article 21 GDPR). This also applies to profiling to the extent that it is related to the direct marketing.

**Right to data portability:**

If the data processing is carried out on the basis of consent or the performance of a contract and this is also done using automated processing, you have the right to receive your data in a structured, commonly used and machine-readable format and to transmit it to another data processor (Article 20 GDPR).

**Right of revocation:**

If the data processing is based on consent, you have the right to revoke the consent free of charge at any time with effect for the future (Article 7 (3) GDPR).

**Right to lodge a complaint:**

You also have the right to lodge a complaint with a supervisory authority (e.g., with the state data protection officer for Lower Saxony, Germany) regarding our processing of your data.

The data protection supervisory authority responsible for the Company is:

The State Commissioner for Data Protection of Lower Saxony  
Prinzenstrasse 5  
30159 Hanover, Germany

Phone: +49 (0511) 120 45 00

Fax: +49 (0511) 120 45 99

E-mail: [poststelle@lfd.niedersachsen.de](mailto:poststelle@lfd.niedersachsen.de)

Further information on data protection is available at Volkswagen AG's website at <https://datenschutz.volkswagen.de/?lang=en-gb>.

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