



## Data protection information

# Annual General Meeting of Oberbank AG

The following information is intended to provide you with an overview of how we process your personal data and your rights under data protection law. This privacy notice applies to the personal data of shareholders or shareholder representatives processed in connection with Annual General Meetings of Oberbank AG.

### 1. Who is responsible for data processing and who can you contact?

Data controller:

**Oberbank AG**

Untere Donaulände 28, A-4020 Linz

Telephone: +43 (0732) 7802-0

Email: [office@oberbank.at](mailto:office@oberbank.at)

Data Protection Officer:

**Oberbank AG – Data Protection Officer**

Untere Donaulände 28, A-4020 Linz

Telephone: +43 (0732) 7802-0

Email: [datenschutz@oberbank.at](mailto:datenschutz@oberbank.at)

### 2. What data do we process and what sources do we use?

In connection with your participation as a shareholder or shareholder representative at a general meeting of Oberbank AG, Oberbank AG processes the personal data provided by you, by a representative authorised by you, or by your custodian bank. The data is processed in accordance with applicable data protection regulations and other statutory provisions (such as, in particular, the Austrian Stock Corporation Act).

Oberbank AG processes the following categories of data:

- Contact details (name, address, email address)
- Proof of identity (copy of ID, date of birth; register and registration number for legal entities)
- Number of shares
- Securities account number
- Securities account confirmation
- Voting card number
- Where applicable, proof of authority to represent (name and date of birth of the authorised representative(s), power of attorney, court order of appointment, etc.)
- Time of entering/leaving the attendance area during the Annual General Meeting
- Voting behaviour and other actions during the Annual General Meeting as recorded in the minutes

### 3. For what purpose and on what legal basis is your data processed?

Your personal data is processed for the following purposes:

- organisation and conduct of the Annual General Meeting
- to enable shareholders and their representatives to attend and exercise their rights at the Annual General Meeting
- verification of eligibility to participate / powers of attorney
- the preparation of the registers of attendees, proxies and participants
- the recording of the resolutions passed, including the respective voting patterns
- the preparation of the minutes of the Annual General Meeting



Legal basis: The processing of personal data is necessary for the fulfilment of our legal obligations within the meaning of Article 6(1)(c) of the GDPR. We process your personal data on the basis of the legal or statutory obligations incumbent upon us, in particular under the German Stock Corporation Act (AktG) (specifically Section 10a (2) AktG and Section 104 (1) AktG), and in accordance with the applicable data protection regulations. The processing of personal data of shareholders or their representatives is strictly necessary for the participation of shareholders and their representatives in the Annual General Meeting in accordance with the Austrian Stock Corporation Act. If the aforementioned personal data is not provided, or is not provided to the extent required, participation in the Annual General Meeting is not possible.

Furthermore, we have a legitimate interest within the meaning of Article 6(1)(f) of the GDPR in ensuring the orderly conduct of the Annual General Meeting. To this end, an audio recording is made during the meeting to facilitate the taking of minutes by the certifying notary. In addition, video and audio recordings may be transmitted for processing purposes within Oberbank AG.

#### 4. Who receives your data?

If a shareholder or shareholder representative attends the Annual General Meeting, the special proxies, the members of the Management Board and Supervisory Board, the notary and all other persons with a statutory right to attend may inspect the statutory register of attendees (Section 117 of the Austrian Stock Corporation Act) and thereby also view the personal data listed therein (including name, place of residence, shareholding) contained therein. Oberbank AG is also legally obliged to submit personal shareholder data (in particular the register of participants) to the Commercial Register as part of the notarial minutes (§ 120 AktG).

Oberbank AG engages data processors (Article 28 of the GDPR) for the purpose of organising the Annual General Meeting. These data processors receive from Oberbank AG only such personal data as is necessary for the performance of the contracted service and process the data exclusively in accordance with Oberbank AG's instructions to the extent necessary to fulfil our legal or statutory obligations. Where legally required, Oberbank AG has entered into a data protection agreement with these service providers.

We transfer your personal data to other third parties:

- Auditors, tax advisers or audit and tax advisory firms
- Notaries for the recording of the Annual General Meeting and the preparation and certification of entries in the Commercial Register
- Solicitors for the (possible) preparation of minutes and for the preparation of entries in the commercial register
- Public institutions, authorities and courts (in particular the Commercial Register Court), as well as, where applicable, the Financial Market Authority, the Vienna Stock Exchange or the Austrian Control Bank for the fulfilment of obligations under company and share law

#### 5. How long will your data be stored?

Shareholders' data will be anonymised or deleted as soon as it is no longer necessary for the purposes for which it was collected or processed, and provided that no other legal obligations require further storage or the assertion of legal claims precludes deletion. Statutory obligations regarding evidence and retention arise in particular from company, share and takeover law, from tax and duty law, and from money laundering regulations. Where legal claims are brought by shareholders against Oberbank AG, or conversely by Oberbank AG against shareholders, the storage of personal data serves to clarify and enforce claims in individual cases.



## 6. What data protection rights do you have?

Every data subject has the right:

- to request confirmation as to whether personal data concerning them is being processed by the controller and the right to access such data (Article 15 GDPR),
- to request the rectification of inaccurate data concerning them and/or the completion of incomplete personal data without delay (Article 16 GDPR),
- to have personal data concerning them erased (Article 17 GDPR),
- to request restriction of processing (Article 18 GDPR),
- to data portability (Article 20 GDPR),
- to object to the processing of data, provided that this is based on a legitimate interest, within the framework of the statutory provisions (Article 21 GDPR) and
- not to be subject to a decision based solely on automated processing – including profiling (Article 22 GDPR).

If you exercise a data subject right with us, we may ask you to provide proof of identity in cases of doubt. This enables us to ensure that your data is not disclosed to unauthorised third parties and therefore serves to protect you.

You may withdraw your consent to the processing of personal data at any time. This also applies to declarations of consent that you gave us prior to the General Data Protection Regulation coming into force. Please note that the withdrawal only takes effect for the future. Processing that took place prior to your withdrawal is not affected.

If you believe that the processing of your personal data does not comply with data protection regulations, please contact us so that we can address your concerns. Furthermore, you have the right to lodge a complaint with a data protection authority if you believe that the processing of your personal data infringes data protection regulations or that your data protection rights have otherwise been infringed (Article 77 GDPR). In Austria, the competent supervisory authority is:

### **Austrian Data Protection Authority**

Barichgasse 40–42, 1030 Vienna

Telephone: +43 (01) 52152-0

Email: [dsb@dsb.gv.at](mailto:dsb@dsb.gv.at)

## 7. Information on data protection

Further information on data protection at Oberbank AG is available at any time at [www.oberbank.at/datenschutz](http://www.oberbank.at/datenschutz).