

Information on data protection for shareholders and their proxies regarding data processing for the purposes of the virtual Annual General Meeting of the Aurubis AG

In this Data Privacy Statement, Aurubis AG provides information about the personal data of shareholders or their proxies processed by Aurubis AG in connection with the organization, execution and follow-up of the virtual Annual General Meeting and about the rights of shareholders and their proxies in accordance with Regulation (EU) 2016/679 (General Data Protection Regulation — GDPR) and the Federal Data Protection Act (BDSG) regarding the processing of their data.

1 Controller

As the controller within the meaning of Article 4 (7) GDPR, Aurubis AG, Hamburg, represented by the members of its Executive Board, processes personal data.

2 Categories Of Data Processed

In connection with the virtual Annual General Meeting, Aurubis AG processes the following personal data of shareholders:

First and last name, title, where applicable, and date of birth

- Address and additional contact information
- Data related to shares and shareholder (in particular number of shares, type of share ownership, depository bank)
- Individual access data for the InvestorPortal
- Other data provided in connection with the virtual Annual General Meeting (e.g., proxy authorization, requests for information, motions, nominations, statements, video messages, spoken contributions by way of video communication)

Aurubis AG also processes, where applicable, the first and last name and the address of the proxy.

Insofar as shareholders or their proxies contact Aurubis AG, Aurubis AG will also process the personal data required to respond to the respective request, such as email address or telephone number.

Aurubis AG collects data about access to the InvestorPortal when shareholders or proxies visit the InvestorPortal online. The following data and device information can be recorded in the webserver log files:

- data retrieved or requested (e.g., screen resolution);
- date, time, locations and duration of data retrieval;
- notification of whether the data retrieval was successful;
- type of web browser and operating system used;
- referrer URL (page previously visited);
- IP address;
- only for shareholders or proxies: shareholder number and session ID; and
- login.

The browser automatically transmits this data to Aurubis AG when the InvestorPortal is visited.

Aurubis AG also uses so-called web storage functions. This involves the storage of small text files in the browser's local memory on the terminal device. As part of session storage

technology, information about the respective authentication token (meaning the “virtual” admission ticket) and session data, including the granting of consent to the Terms of Use, is collected after login. This allows users to be recognized if they need to return to another page of the InvestorPortal or the Aurubis AG website, or have to reload a page during an active session. In addition, the so-called local storage function is used in the operation of the InvestorPortal to store the login timestamp, which enables automatic logout after 30 minutes of inactivity for security reasons.

This data is automatically erased when the browser is closed. The browser menu contains information on how to technically disable permission for web storage objects and what settings the browser uses to inform users about the setting of a new web storage object. Please note that some website functions may no longer be available if web storage objects are deactivated.

3 Data Sources

Aurubis AG or the service providers commissioned by Aurubis AG receive the personal data of the shareholders either from the shareholders themselves or from the depository institutes of the shareholders who have commissioned them to hold the shares.

If a proxy acts for a shareholder, Aurubis AG receives the personal data from the shareholder who authorized the proxy or directly from the proxy, insofar as it relates to conduct at the Annual General Meeting.

4 PURPOSES AND LEGAL BASIS OF DATA PROCESSING

Among other things, the InvestorPortal can be used to attend the virtual Annual General Meeting with image and sound, exercise voting rights by way of postal vote, authorize proxies, submit questions, or go on the record with objections. Shareholders or their proxies must log in with the access data they receive with the voting rights card in order to be able to use the InvestorPortal. The use of the InvestorPortal is subject to the terms and conditions of use available there.

Organization, Execution, And Follow-Up Of The Virtual Annual General Meeting

Aurubis AG processes personal data for the purposes of organizing, executing and following up on the Annual General Meeting, and to fulfill the legal obligations towards shareholders and their proxies in this context, in particular in order to:

- process the registration for the Annual General Meeting and the connection of shareholders and their proxies to the virtual Annual General Meeting (e.g., identity verification, verification of eligibility to exercise shareholder rights and to connect via the InvestorPortal, drawing up the list of attendees and making it available for inspection, dispatch of voting rights cards) and
- enable shareholders and their proxies to exercise their rights within the scope of or in connection with the virtual Annual General Meeting (in particular the authorization and revocation of proxies and instructions, and the exercising of the rights to vote, of petition, to make a statement, to speak, and to receive information, along with the right

to object to resolutions of the Annual General Meeting in the respective manner described in the invitation to the Annual General Meeting).

The legal basis for processing this data is Article 6 (1) (c) of the EU General Data Protection Regulation (GDPR) in conjunction with Section 67e (1) of the German Stock Corporation Act (AktG) and the obligations under stock corporation law pursuant to Sections 118 et seq AktG.

The processing of personal data is required for the orderly execution of the Annual General Meeting. If shareholders or their proxies do not provide Aurubis AG with the required personal data, Aurubis AG may not be able to enable these persons to exercise shareholder rights or to participate in the virtual Annual General Meeting.

In connection with the virtual Annual General Meeting, Aurubis AG may also transmit the personal data to legal advisors, tax consultants, or auditors, as Aurubis AG has a legitimate interest in executing the Annual General Meeting in accordance with the relevant legal requirements and in obtaining external consultation in this context. The legal basis for processing this data is Article 6 (1) (f) of the EU General Data Protection Regulation (GDPR).

Fulfillment Of Statutory Reporting And Publication Obligations (In Particular Voting Rights Announcements) And Other Legal Obligations, In Particular Retention Obligations

In addition, the personal data may also be processed to comply with other legal obligations, such as statutory reporting and publication obligations (in particular voting rights announcements) and regulatory requirements as well as stock, commercial and tax legislation retention requirements. In order to comply with regulations, for example, when authorizing the proxies nominated by Aurubis AG for the Annual General Meeting, the data that serves as proof of proxy must be verified and recorded and kept access protected for three years (Section 134 (3) sentence 5 of the German Stock Corporation Act (AktG)). The legal basis for processing in this case is under the respective regulations in conjunction with Article 6 (1) (c) GDPR.

Additional Processing Purposes

In individual cases, Aurubis AG also processes personal data for the purpose of safeguarding legitimate interests in accordance with Article 6 (1) (f) GDPR. In addition, based on legitimate interests, the personal data may also be used to compile statistics, e.g., to analyze trends, or to enforce, exert or defend against legal claims. This serves our legitimate interest in analyzing the company's capital structure as a basis for business decisions.

If there is intent to process the personal data for another purpose, Aurubis AG will inform the shareholders and their proxies in advance within the scope of the legal provisions.

Cookies And Other Similar Items

Aurubis AG uses the technically strictly necessary cookies, device information in web server log files, and web storage and local storage elements (collectively "cookie functions") for the InvestorPortal. Cookies are small files that are stored on the user's desktop, notebook or mobile device by a website the user visits. They allow Aurubis AG to recognize, for example, whether the device in use has previously connected to the InvestorPortal, or which language or other settings the user prefers. Cookies may also contain personal data. Users can set their browsers to inform them when cookies are used and to allow cookies only in individual cases, or to exclude or delete them in general. If a user decides not to allow cookies, that user may not be able to access the all the functions of the InvestorPortal, or only be able to access individual functions to a limited extent.

The cookie functions used by Aurubis AG are only used for the purposes of making the InvestorPortal available, for registering and identifying shareholders, and for detecting misuse, troubleshooting, and ensuring the trouble-free technical operation of the virtual Annual General Meeting.

The legal basis for the use of the cookie functions, access to the data stored therein, and the associated processing of personal data is Section 25 (2) No. 2 of the Telecommunications Telemedia Data Protection Act (TTDSG), as their use is necessary in order to make the requested InvestorPortal available. The further processing of the personal data collected using the cookie functions is necessary for safeguarding the legitimate interest of Aurubis AG in enabling shareholders and their proxies to use the InvestorPortal. The legal basis for processing this data is Article 6 (1) (f) of the EU General Data Protection Regulation (GDPR).

Users' consent will be obtained should cookie functions that are not strictly necessary for the operation of the InvestorPortal, such as functional and performance cookies, be used to make the InvestorPortal available.

5 Data Recipients

Service providers who are commissioned with organizing, executing and following up on the virtual Annual General Meeting, including making the AGM portal and its functions available, will only receive personal data from Aurubis AG that is necessary for the performance of the commissioned service and will process the data exclusively on behalf of and in accordance with the instructions of Aurubis AG. All employees and all employees of external service providers who have access to and/or process personal data are obliged to treat such data confidentially.

External service providers involved in the management of the share register as well as the technical execution of the Annual General Meeting include, for example, companies that offer printing and mailing services or support for the execution of the Annual General Meeting. Computershare Deutschland GmbH & Co. KG, München, has been commissioned to maintain the share register of Aurubis AG.

In addition, Aurubis AG may need to transmit the personal data to other recipients, such as external consultants (e.g., lawyers).

In connection with the execution of the Annual General Meeting, the personal data of shareholders and, where applicable, their proxies may, under certain circumstances, be disclosed to other duly registered participants of the Annual General Meeting (e.g., by granting access to the legally required list of attendees, by publishing the motions submitted or other requests subject to disclosure on the company website, in the context of making statements available by name in the AGM portal or in the context of other contributions made by shareholders or, where applicable, proxies prior to or during the virtual Annual General Meeting via the communication channels described in the invitation to the Annual General Meeting).

The personal data is generally processed in countries that are members of the European Union ("EU") and the European Economic Area ("EEA"). Insofar as shareholders come from countries outside the EU or the EEA ("third countries"), Aurubis AG will also provide these shareholders with information (e.g. invitations to annual general meetings). Should these notifications also contain personal data (e.g., motions for annual general meetings stating the name of the applicant), then this data will also be transferred to third countries. The provisions of the GDPR do not directly apply in third countries. If the EU Commission has not confirmed an adequate level of data protection, a lower level of protection for personal data may exist in these third countries. Nevertheless, a transfer is necessary in order to inform all shareholders equally, as Aurubis AG may not exclude shareholders from third countries from the duty to provide information. Aurubis AG therefore fulfills its contractual obligations with this transfer. The legal basis for the transfer of this data is Article 49 (1) (b) GDPR.

6 Retention Of Data

Fundamentally, personal data will be deleted or anonymized as soon as it is no longer necessary for the above purposes and Aurubis AG is not obliged to retain it to meet legal accountability requirements and the legal obligation to retain data. The retention period for data collected in connection with annual general meetings is regularly up to 3 years. The data stored in the share register is regularly kept for 10 years after the sale of the shares. In addition, Aurubis AG only retains personal data if this is necessary in connection with claims made against Aurubis AG (legal limitation period usually 3 years as a rule, but in certain cases also up to 30 years). Should Aurubis AG become aware that a shareholder is no longer a shareholder of Aurubis AG, it will only retain his or her personal data for a maximum of twelve months in accordance with Section 67e (2) of the German Stock Corporation Act (AktG), subject to other legal regulations, such as the AktG, the German Securities Trading Act (WpHG), the German Commercial Code (HGB) and the German Tax Code (AO); longer retention will only take place if required for legal proceedings.

7 Rights Of The Data Subjects

If the legal requirements are met and with regard to the processing of their personal data, shareholders and proxies can request the following from Aurubis AG: information about their personal data pursuant to Article 15 GDPR, rectification of their personal data pursuant to Article 16 GDPR, erasure of their personal data pursuant to Article 17 GDPR, restriction of processing of their personal data pursuant to Article 18 GDPR, and the transmission of certain personal data to themselves or third parties that they designate (right to data portability)

pursuant to Article 20 GDPR. Shareholders can exercise these rights free of charge by contacting Aurubis AG in one of the following ways:

Aurubis AG
Corporate Legal Department
Hovestrassse 50
20539 Hamburg, Germany
Phone: +49 40 7883-3993
Fax: +49 40 7883-3990
E-mail: dataprotection@aurubis.com

RIGHT TO OBJECT

If the data is processed for the purpose of safeguarding legitimate interests, you can object to this processing at any time at the above address pursuant to Article 21 GDPR, if there are reasons resulting from your specific situation that preclude this data processing. Aurubis AG will then terminate data processing unless Aurubis AG can prove compelling, legitimate grounds for processing the data that outweigh the interests, rights, and freedoms of the person affected or insofar as the data processing serves to enforce, exert, or defend against legal claims.

Pursuant to Article 77 of the EU General Data Protection Regulation (GDPR), shareholders have the right to lodge a complaint with the supervisory authority of either the federal state/country in which they live or habitually reside, or the supervisory authority of the city of Hamburg, where Aurubis AG's headquarters is located.

You can reach our company's Data Protection Officer at:

Aurubis AG Data Protection Officer c/o Aurubis AG
Corporate Legal Department
Hovestrassse 50
20539 Hamburg, Germany
Phone: +49 40 7883-39 93
Fax: +49 40 7883-39 90
Email: dataprotection@aurubis.com

Hamburg, January 2024