

# 2019 Invitation and Agenda

for the Annual General Meeting

of FUCHS PETROLUB SE on May 7, 2019  
at Congress Center Rosengarten, Mannheim

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# Invitation to the Annual General Meeting

on May 7, 2019

at 10:00 a.m. (doors at 8:30 a.m.)

at Congress Center Rosengarten,  
Mozartsaal, Rosengartenplatz 2,  
68161 Mannheim

**FUCHS PETROLUB SE**

Mannheim

– WKN 579040 und 579043 –

ISIN DE 0005790406 und DE 0005790430

# Agenda

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TOP 1	Presentation of the adopted annual financial statements for FUCHS PETROLUB SE and the approved annual consolidated financial statements, the Combined Management Report, the Supervisory Board's report, and the Executive Board's report detailing information pursuant to Section 289a Para. 1 and Section 315a Para. 1 of the Commercial Code (HGB), each of which is for the 2018 financial year
TOP 2	Adoption of a resolution regarding the appropriation of profits
TOP 3	Adoption of a resolution regarding the approval of the Executive Board members for the 2018 financial year
TOP 4	Adoption of a resolution regarding the approval of the Supervisory Board members for the 2018 financial year
TOP 5	Election of a Supervisory Board member
TOP 6	Adoption of a resolution regarding the selection of the auditor for the annual financial statements and the auditor for the annual consolidated financial statements for the 2019 financial year as well as the auditor for reviewing any financial information during the fiscal year.

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# I. Agenda and resolutions proposed for adoption by the Annual General Meeting of FUCHS PETROLUB SE, Mannheim

1. **Presentation of the adopted annual financial statements for FUCHS PETROLUB SE and the approved annual consolidated financial statements, the Combined Management Report, the Supervisory Board's report, and the Executive Board's report detailing information pursuant to Section 289a Para. 1 and Section 315a Para. 1 of the Commercial Code (HGB), each of which is for the 2018 financial year**

The documents can be accessed via the company's website at **www.fuchs.com/group** under INVESTOR RELATIONS Annual General Meeting 2019 and they are also mailed to shareholders upon request. The documents will also be provided and discussed further at the Annual General Meeting. Pursuant to legal requirements, there are no plans to adopt a resolution regarding agenda item 1 since the Supervisory Board has already adopted the annual financial statements and the consolidated annual financial statements and since the annual financial statements are thus approved.

2. **Adoption of a resolution regarding the appropriation of profits**

The Supervisory Board and the Executive Board propose that the profits reported in the amount of EUR 131,355,000.00 on the balance sheet as at December 31, 2018, be appropriated as follows:

Distribution of a dividend in the amount of EUR 0.94 for each of the 69,500,000 ordinary shares entitled to dividends	<b>EUR 65,330,000.00</b>
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Distribution of a dividend in the amount of EUR 0.95 for each of the 69,500,000 preference shares entitled to dividends	<b>EUR 66,025,000.00</b>
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Unappropriated profit	<b>EUR 131,355,000.00</b>
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According to Section 58, Para. 4, Sentence 2 of the German Stock Corporation act (AktG), the entitlement to dividends is payable on the third business day following the AGM resolution – therefore, on May 10, 2019.

### **3. Adoption of a resolution regarding the approval of the Executive Board members for the 2018 financial year**

The Supervisory Board and the Executive Board propose that the approval of the Executive Board members who served in the 2018 financial year be granted for this period.

### **4. Adoption of a resolution regarding the approval of the Supervisory Board members for the 2018 financial year**

The Supervisory Board and the Executive Board propose that the approval of the Supervisory Board members who served in the 2018 financial year be granted for this period.

### **5. Election of a Supervisory Board member**

Shareholder representative Dr. Jürgen Hambrecht is stepping down from serving as Supervisory Board member, effective as of the end of the Annual General Meeting on May 7, 2019. A shareholder representative must thus be elected as a Supervisory Board member for the remainder of the departing member's term of office.

Pursuant to Art. 40 Para. 2 and Para. 3 of the SE Regulation (SE-VO), Section 17 Para. 1 and Para. 2 of the SE Implementation Act (SEAG), Section 10 Para. 1 of the Articles of Association of FUCHS PETROLUB SE, and Section 21 Para. 3 of the SE Participation Act (SEBG) in conjunction with Section II (2) of the agreement on staff involvement in FUCHS PETROLUB SE, the Supervisory Board is composed of six members, of which four are shareholder representatives and two are staff representatives. The shareholder representatives are elected by the Annual General Meeting. Under Section 10 Para. 6 of the Articles of Association of FUCHS PETROLUB SE, the term of office for a Supervisory Board member elected to replace a departed member lasts for the remainder of the departed member's term of office; this means that the term of office of the Supervisory Board member elected under this agenda item lasts until the end of the Annual General Meeting that resolves to approve the Supervisory Board for the 2019 financial year, however no more than six years counted from the end of the Annual General Meeting on May 6, 2015.

Based on the recommendation of the Nomination Committee and in consideration of the objectives set by the Supervisory Board for its composition, the Supervisory Board proposes that the following representative of the shareholders be elected to the Supervisory Board to replace Dr. Jürgen Hambrecht:

**Herrn Dr. Kurt Bock, Heidelberg**

Retired former Chairman of the Executive Board of BASF SE

Dr. Kurt Bock is a member of the following German supervisory boards that must be formed according to the law:

- Bayerische Motorenwerke AG, Munich
- Fresenius Management SE, Bad Homburg
- Munich RE Group in Munich

He is not a member of similar German or non-German supervisory bodies for commercial enterprises.

In reference to the regulations of the German Corporate Governance Code, it is hereby stated that in the opinion of the Supervisory Board, Dr. Kurt Bock has no personal or business ties to the company, to the company's bodies, or to a shareholder with a substantial holding in the company.

In case of his election, the intention is to elect Dr. Kurt Bock as Chairman of the Supervisory Board.

Dr. Kurt Bock's bio can be found on the company's website at **[www.fuchs.com/group](http://www.fuchs.com/group)** under INVESTOR RELATIONS and then under Annual General Meeting 2019.

**6. Adoption of a resolution regarding the selection of the auditor for the annual financial statements and the auditor for the annual consolidated financial statements for the 2019 financial year as well as the auditor for reviewing any financial information during the fiscal year.**

The Supervisory Board proposes that PricewaterhouseCoopers GmbH Wirtschaftsprüfungsgesellschaft, Mannheim, be selected as auditor of the annual financial statements and auditor of the consolidated annual financial statements for the 2019 financial year as well as being selected as the auditor for reviewing any interim financial reports for the 2019 financial year and for the first quarter of 2020.

The selection proposed is based on the recommendation of the Audit Committee pursuant to Art. 16 (2) of Regulation (EU) No 537/2014 of the European Parliament and of the Council of April 16, 2014, on specific requirements regarding statutory audit of public-interest entities and repealing Commission Decision 2005/909/EC (EU Audit Regulation). The Audit Committee explained in its recommendation that this recommendation is free from undue influence by third parties and that no clause of the type specified in Art. 16 (6) of the EU Audit Regulation was imposed on the Audit Committee.

## II. Additional information and comments regarding the Annual General Meeting

### 1. Total number of shares and voting rights upon convening; free disposal of shares

Upon convening the Annual General Meeting, the company's share capital in the amount of € 139,000,000 is divided among 139,000,000 no-par-value shares with a nominal value of € 1.00 per no-par-value share. Of these, 69,500,000 are ordinary shares and 69,500,000 are preference shares. Each of the 69,500,000 ordinary shares carries one vote at the Annual General Meeting for announced agenda items 2–6. The company itself does not own any shares.

The announcement of an Annual General Meeting does not block the shares; shareholders can thus continue to freely dispose of their shares even after an announcement has been made.

### 2. Requirements for attendance at the Annual General Meeting and for exercising voting rights

Ordinary shareholders and preference shareholders are entitled to attend the Annual General Meeting – and ordinary shareholders are entitled to exercise voting rights – only if they have registered by submitting special proof of shareholdings pursuant to Section 19 of the Articles of Association to the company at the address specified below by the end (24:00 CEST) of **April 30, 2019**:

**FUCHS PETROLUB SE  
c/o Deutsche Bank AG  
Securities Production  
– General Meetings –  
PO Box 20 01 07  
60605 Frankfurt am Main**

**Fax: +49 69 12012-86045**

**Email: wp.hv@db-is.com**



The special proof of shareholdings must be based on the start of the twenty-first day prior to the date of the Annual General Meeting, i.e. issued as at 00:00 (CEST) on **April 16, 2019 (record date)**. It must be provided in writing through the confirmation of an institution authorized to keep securities safe (Section 126b German Civil Code (BGB)). The confirmation must be written in German or English.

For attendance at the meeting and exercising voting rights, only people who prove shareholdings are considered shareholders. Aside from the required registration, the entitlement to attend the meeting and the extent of voting rights are determined based on the shares held on the record date. No blocking of the sale of shares is associated with the record date. Even in the event that all or some of the shares held are sold after the record date, attendance and the extent of voting rights are only determined by the shares held on the record date. The sale of shares after the record date has no impact on the entitlement to participate and on the extent of voting rights. The same applies for the purchase and additional purchase of shares after the record date. People who do not hold any shares on the record date and do not become shareholders until afterwards are only entitled to attend and vote for the shares held by them to the extent that they are designated proxies or are authorized to exercise legal rights.

The record date has no implications for the calculation of dividends.

The shareholders are requested to complete the ticket request forms sent to them through the credit institution that manages their custodial account and to send them back to the credit institution that manages their custodial account on time according

to the requirements of said credit institution. The credit institution that manages their custodial account will then carry out the registration at the same time that it sends the special proof of shareholdings to the central registration office for FUCHS PETROLUB SE specified above, which will forward the registration and the special proof of shareholdings to the company. In order to ensure that tickets are received on time, we ask that the shareholders make sure the proof of their shareholdings is sent to the company at the address mentioned above in good time.

Tickets to the Annual General Meeting are sent to the shareholders once the registration and the proof of shareholdings has been received at the central registration office for FUCHS PETROLUB SE specified above. Please understand that, based on past experience, due to the large number of registrations for our Annual General Meeting, we are only able to send two tickets to each shareholder. Although we do not intend to restrict your right to attend the Annual General Meeting, we also ask that you register in good time and only once you seriously intend to attend the Annual General Meeting, so as to facilitate the organization of the Annual General Meeting.

The ticket that ordinary shareholders receive also includes a form to designate a proxy for voting at the Annual General Meeting.

### **3. Exercise of voting rights and representation at the Annual General Meeting**

The ordinary shareholders entitled to attend are entitled to vote on agenda items 2–6.

Please note that, in order to attend the Annual General Meeting and exercise voting rights, only someone who has provided proof of their entitlement to attend the Annual General Meeting and/or to exercise voting rights is considered a shareholder as pertains to the company. If it is unclear whether the proof is accurate or authentic, the company is entitled to request suitable additional proof.

After properly registering, the shareholders may appear at the Annual General Meeting in person and exercise your own voting right as an ordinary shareholder. By designating a proxy, ordinary shareholders who do not wish to or are unable to attend the Annual General Meeting in person can have their voting right exercised by a proxy, such as a bank, a shareholders' association or a voting representative appointed by the company. The following must also be considered for this:

Timely registration and proof of shareholdings are still required if a proxy is designated.

The designation of a proxy, the rescission thereof, and proof that the proxy was designated vis-à-vis the company must be in writing. If credit institutions, shareholders' associations or institutions, companies, and persons regarded as such under Section 135 Para. 8 or 10 of the German Stock Corporation Act (AktG)<sup>1</sup> are designated as proxies, special conditions must generally be met by the proxy being designated. We thus ask that

<sup>1</sup> The provisions of the German Stock Corporation Act apply to the company pursuant to Art. 5, Art. 9 Para. 1 c) ii) and Art. 10 SE-VO unless otherwise stipulated in special provisions of the SE-VO.

ordinary shareholders who wish to designate a credit institution, a shareholder's association, or other institutions, companies, or persons regarded as such under Section 135 Para. 8 and Para. 10 AktG as proxies for exercising voting rights agree on the type of proxy with the proxy being designated.

Proof that a proxy designation has been requested can be sent to FUCHS PETROLUB SE at the following email address: [fuchspetrolub-hv2019@computershare.de](mailto:fuchspetrolub-hv2019@computershare.de).

Additionally, proof that a proxy designation has been requested can be sent to FUCHS PETROLUB SE at the following fax number as well: +49 89 30903-74675.

If the shareholder designates more than one person as a proxy, the company can reject one or more of them.

#### **4. Voting representation by a voting representative of the company**

As in previous years, the company offers its shareholders the special service of designating a company-appointed voting representative bound by instructions prior to the Annual General Meeting. If the company-appointed voting representative is to be designated as a proxy, an ordinary shareholder must give instructions on how his/her voting rights should be exercised. Without instructions, the proxy is void and the voting right is not exercised. Voting representatives are obligated to cast their vote according to the instructions given to them; they cannot exercise voting rights at their own discretion. Please note that voting representatives are unable to accept instructions to request to speak, to ask questions, or to file a motion. Voting representatives accept only instructions regarding the announced resolu-

tion proposals; otherwise, they will abstain from voting. Ordinary shareholders who wish to designate a company-appointed voting representative as a proxy may do so in writing. The form that is sent to the ordinary shareholders along with the ticket can be used for this. More details on registration and designating a proxy can be found on the company's website at **[www.fuchs.com/group](http://www.fuchs.com/group)** under INVESTOR RELATIONS and then under Annual General Meeting 2019. The request must be received by the custodian bank as early as possible in order for tickets to be sent in time.

If a company-appointed voting representative bound by instructions is designated as a proxy prior to the Annual General Meeting, the proxy and instructions must be sent to the address specified below by the end (24:00 CEST) of May 6, 2019 (receipt):

**FUCHS PETROLUB SE**  
**c/o Computershare Operations Center**  
**80249 Munich**

**Fax: +49 89 30903-74675**  
**Email: [fuchspetrolub-hv2019@computershare.de](mailto:fuchspetrolub-hv2019@computershare.de)**

Registered ordinary shareholders may also attend the Annual General Meeting in person even after designating a company-appointed voting representative as a proxy. If the ordinary shareholder or a third party designated by him/her as a proxy registers in person at the admission control for the Annual General Meeting on May 7, 2019, the instructions issued and the proxy designated for the company-appointed voting representative are considered rescinded.

Please note that company-appointed voting representatives can be designated as proxies during the Annual General Meeting.

## **5. Online transmission of the Annual General Meeting**

Starting at 10:00 a.m. on the day of the Annual General Meeting, the opening remarks by the chair of the meeting as well as the speech by the Chairman of the Executive Board will be transmitted in full, live on our website, at **[www.fuchs.com/group](http://www.fuchs.com/group)** under INVESTOR RELATIONS and then under Annual General Meeting 2019.

## **6. Motions, nominations, inquiries, and requests for information (Information on shareholders' rights pursuant to Art. 56 (2) and (3) SE-VO, Section 50 Para. 2 SEAG in conjunction with Section 122 Para. 2 and pursuant to Section 126 Para. 1, Section 127, and Section 131 Para. 1 AktG)**

### **Applications for an addition to the agenda pursuant to Art. 56 (2) and (3) SE-VO, Section 50 Para. 2 SEAG in conjunction with Section 122 Para. 2 AktG**

Shareholders whose stakes collectively amount to at least 5% of the share capital – i.e. 6,950,000 no-par-value shares – or an amount proportionate to €500,000 of the share capital – i.e. 500,000 no-par-value shares – may request that items be placed on the agenda and announced. A reason or a proposed resolution must be included with each new item.

Any applications for additions must be addressed in writing to the Executive Board of the company and must be received by the company at least 30 days prior to the meeting; the date of receipt and the date of the Annual General Meeting are not to be included in this calculation. The final deadline for receipt is thus the end of April 6, 2019, 24:00 (CEST). Applications for additions received thereafter will not be considered.

The company asks that any applications for additions be sent to the following address:

**FUCHS PETROLUB SE**  
**Vorstand**  
**Friesenheimer Straße 17**  
**68169 Mannheim**

The applicants have to prove that they have owned the shares since at least 90 days before the date on which the request is received, and that they hold the shares until the Executive Board's decision on the request. Section 121 Para. 7 AktG applies for calculation of the time period.

To the extent that they were not previously announced upon convening – immediately after the request is received – additions to the agenda that are to be announced will be announced in the German Federal Gazette and forwarded for publication to media outlets that can be presumed to distribute the information throughout the entire European Union. They will also be disclosed to the shareholders and published on the **www.fuchs.com/group** website under INVESTOR RELATIONS and then under Annual General Meeting 2019.

### **Counter-motions and nominations by shareholders pursuant to Section 126 Para. 1 and Section 127 AktG**

#### **Counter-motions by shareholders (Section 126 Para. 1 AktG)**

Each shareholder has the right to present a counter-motion for a particular agenda item at the Annual General Meeting in response to the proposals of the Executive Board and/or the Supervisory Board. Counter-motions that are received by the company at the address specified below at least 14 days prior to the meeting – excluding the date of receipt and the date of the Annual General Meeting, i.e. no later than the end (24:00 CEST) of April 22, 2019 – will promptly be made available via the website **www.fuchs.com/group** under INVESTOR RELATIONS

and then under Annual General Meeting 2019, including the name of the shareholder, the reason, and any comment by management (cf. Section 126 Para. 1 (3) AktG).

In Section 126 Para. 2 AktG, the law specifies grounds for which a counter-motion and its reasons do not have to be made available via the website.

Counter-motions (including reasons) must be sent to the following address:

**FUCHS PETROLUB SE**  
**Investor Relations**  
**Friesenheimer Straße 17**  
**68169 Mannheim**

**Fax: +49 621 3802-7274**

**Email: [ir@fuchs.com](mailto:ir@fuchs.com)**

Counter-motions addressed otherwise will not be considered. Counter-motions are only filed if they are put forward during the Annual General Meeting. The right of any shareholder to put forward counter-motions regarding the different agenda items during the Annual General Meeting even without first sending them to the company by the deadline is unaffected.

Shareholders are asked to prove their current shareholder status at the time that the counter-motion is sent.

### **Nominations by shareholders (Section 127 AktG)**

Each shareholder has the right to make a nomination for the election of a Supervisory Board member as well as for the selection of the auditor for the annual financial statements.



Nominations by shareholders that are received by the company at the address specified below at least 14 days prior to the Annual General Meeting – excluding the date of receipt and the date of the Annual General Meeting, i.e. no later than the end (24:00 CEST) of April 22, 2019 – will promptly be made available via the website **[www.fuchs.com/group](http://www.fuchs.com/group)** under INVESTOR RELATIONS and then under Annual General Meeting 2019, including any comment by management. Nominations by shareholders are only made available if they contain the name, the profession and the place of residence of the nominated person (cf. Section 127 (3) in conjunction with Section 124 Para. 3 AktG). In contrast to counter-motions as defined in Section 126 Para. 1 AktG, reasons do not need to be provided for nominations.

Pursuant to Section 127 (1) in conjunction with Section 126 Para. 2 AktG, there are additional grounds for which nominations do not have to be made available via the website.

Nominations must be sent to the following address:

**FUCHS PETROLUB SE**  
**Investor Relations**  
**Friesenheimer Straße 17**  
**68169 Mannheim**

**Fax: +49 621 3802-7274**

**Email: [ir@fuchs.com](mailto:ir@fuchs.com)**

Nominations addressed otherwise will not be considered. The right of any shareholder to submit nominations for the corresponding agenda items during the Annual General Meeting, even without first sending them to the company by the deadline, is unaffected.

Shareholders are asked to prove their current shareholder status at the time that the nomination is sent.

### **Inquiries**

Shareholders who have inquiries regarding the Annual General Meeting are also asked to send these to the address specified above.

### **Shareholder's right to demand information (Section 131 Para. 1 AktG)**

Pursuant to Section 131 Para. 1 AktG, information about the company must be provided by the Executive Board to each shareholder during the Annual General Meeting upon request, to the extent that this information is required for appropriately assessing an agenda item. The Executive Board's obligation to give information also extends to the company's legal and business relationships with any associated company, as well to the status of the Group and the companies included in the consolidated annual financial statements (cf. Section 131 Para. 1 (2) and (4) AktG). Requests for information must generally be submitted verbally during the Annual General Assembly as part of the discussion.

The Executive Board may refuse to give information under certain conditions described in greater detail in Section 131 Para. 3 AktG. Pursuant to Section 21 Para. 2 of the company's Articles of Association, the chair of the meeting is authorized to place reasonable time limits on the shareholders' rights to pose questions and to speak.

### **Additional notes**

Additional remarks on shareholders' rights pursuant to Art. 56 (2) and (3) SE-VO, Section 50 Para. 2 SEAG in conjunction with Section 122 Para. 2 and Section 126 Para. 1, Section 127, and Section 131 Para. 1 AktG can be found online at [www.fuchs.com/group](http://www.fuchs.com/group) under INVESTOR RELATIONS and then under Annual General Meeting 2019.

## 7. Documents and information on the Annual General Meeting

Once the Annual General Meeting is convened, this invitation to the Annual General Meeting, the documents and motions by the shareholders as well as additional information – particularly regarding attendance of the Annual General Meeting and the designation of a proxy and issuing of instructions – are available for inspection by the shareholders at the business premises of FUCHS PETROLUB SE at Friesenheimer Straße 17, 68169 Mannheim. Once the Annual General Meeting is convened, the documents specified above, as well as the information pursuant to Section 124a AktG, are also available on the company's website at **[www.fuchs.com/group](http://www.fuchs.com/group)** under INVESTOR RELATIONS and then under Annual General Meeting 2019. After the Annual General Meeting, the results of the votes will also be available there. These documents are also available for inspection by the shareholders at the Annual General Meeting. Each shareholder will also be promptly sent a free copy of the documents specified above upon request. We ask that the corresponding requests be addressed to the Investor Relations department using the contact information specified above.

This convening was announced in the German Federal Gazette on March 26, 2019. On the same day, the convening was forwarded to media outlets to be published in the European Union as stipulated in Section 121 Para. 4a AktG.

Mannheim, March 2019

**FUCHS PETROLUB SE**

The Executive Board

# Information on data protection regarding the Annual General Meeting

## 1. General information

### a) Introduction

FUCHS PETROLUB SE ("FUCHS," "we," "us," "our") attaches great importance to the protection of your data. The following information is about the collection and processing of your personal data and your associated rights according to Regulation (EU) 2016/679 (General Data Protection Regulation – GDPR), the German Federal Data Protection Act (Bundesdatenschutzgesetz – BDSG), Council Regulation (EC) No. 2157/2001 on the Statute for a European Company (SE), the German Act on Implementing the SE (SE Implementation Act – SEAG), and the German Stock Corporation Act (AktG), in connection with the preparation, execution, and follow-up of the FUCHS Annual General Meeting.

### b) Person responsible for data processing within the meaning of Art. 4 No. 7 GDPR

**FUCHS PETROLUB SE**

**Friesenheimer Straße 17**

**68169 Mannheim**

**Tel.: +49 621 3802-0**

**Fax: +49 621 3802-7190**

**Email: [Kontakt@fuchs.com](mailto:Kontakt@fuchs.com)**

**Website: <https://www.fuchs.com/group>**

### c) Contact details of the data protection officer

**Attorney Dr. Karsten Kinast, LL.M.**

**KINAST Rechtsanwaltsgesellschaft mbH**

**Hohenzollernring 54**

**50672 Cologne, Germany**

**Email: [mail@kinast-partner.de](mailto:mail@kinast-partner.de)**

## 2. Personal data concerned

We process the following personal data of participating shareholders, voting representatives (“representatives”) and guests, although not all named personal data will always be processed for all named persons affected:

- First and last name
- Address
- Telephone number
- Email address
- Number of shares, class of shares, and type of ownership of the shares
- Ticket number

If shareholders or their representatives get in touch with us (“query”), we will also process the personal data that is given to us in the context of the query and which is needed in order to answer the query (e.g. the contact details such as email address or telephone number given by the shareholder or representative). Where necessary we will also process information about orders, questions, election suggestions and requests from shareholders or their representatives in the Annual General Meeting.

## 3. Purpose and legal basis of data processing

We process the personal data for the following purposes:

- For participation in the Annual General Meeting
- To fulfill the requirements under stock corporation law (e.g. for the list of participants)
- To enable shareholder rights to be exercised (e.g. participation right, speaking and voting)

The legal basis for processing the personal data are the provisions of the SE (Art. 52 et seq.) and the provisions under stock corporation law (Sections 118 et seq. AktG) in conjunction with Art. 6 Para. 1 Sentence 1 (c) GDPR.

In addition, we will process personal data to comply with legal requirements under supervisory, tax, and commercial law. Art. 6 Para. 1 Sentence 1 (c) GDPR also forms a legal basis here.

We will also process personal data to safeguard legitimate interests, such as preparing the Annual General Meeting and ensuring that the AGM runs smoothly, or complying with securities trading regulations of non-European countries. The legal basis for data processing in these cases is Art. 6 Para. 1 (f) GDPR. If you provide us with personal data in connection with a query, the legal basis for processing this data for the purposes of replying is Art. 6 Para. 1 (a) GDPR.

#### **4. Other recipients of the personal data**

Other FUCHS shareholders and their representatives may view your personal data recorded in the list of participants according to Art. 53 SE in conjunction with Section 129 AktG.

We sometimes use different external service providers in the EU (e.g. Annual General Meeting providers, bank, notary, attorneys) for organizing and conducting the Annual General Meeting, who, where necessary, are obliged under order-processing agreements to abide by data protection laws according to Art. 28 GDPR. FUCHS will only transmit the personal data to these service providers that is required in order to deliver the contracted service and will only process the data on our behalf and according to our instructions.

We may be obliged to transmit personal data to other recipients who process the personal data under their own responsibility (Art. 4 No. 7 GDPR), in particular to public authorities such as the competent supervisory authority.

## 5. Storage period

The storage period for the personal data processed in connection with the Annual General Meeting is usually up to three years. We anonymize or delete this personal data as long as it is no longer required for the above purposes. This does not apply if and when we are bound by legal proof and storage obligations (e. g. in the AktG, the German Commercial Code (HGB), or in the German Tax Code (Abgabenordnung)) to store the data for longer or if the data is pertinent to judicial or extra-judicial proceedings, such as in the case of actions for annulment and rescission; in these cases we will store the data for as long as the proof and storage obligations apply or until the legally effective or otherwise final conclusion of the relevant proceedings, including any enforcement proceedings.

## 6. Your rights according to the GDPR

You can contact our data protection officer or us directly with an informal message at any time and free of charge to exercise your rights according to the GDPR. According to this, you have the right:

- pursuant to Art. 15 GDPR, to request information about your personal data processed by us. In particular, you can request information about the processing purposes, the category of the personal data, the categories of recipients to whom your data was or will be disclosed, the planned storage period, the existence of a right of correction, deletion, restriction of processing or objection, the existence of a right to complain, the origin of your data if it was not collected by us, and about the existence of automated decision-making, including profiling and possibly meaningful information about the details thereof;

- pursuant to Art. 16 GDPR, to demand the correction of inaccurate or completion of your personal data stored with us;
- pursuant to Art. 17 GDPR, to demand the deletion of your personal data stored with us, provided that processing is not required in order to exercise the right to freedom of expression and information, to fulfill a legal obligation, for reasons of public interest, or to assert, exercise, or defend legal claims;
- pursuant to Art. 18 GDPR, to demand that the processing of your personal data be restricted, if you contest the accuracy of the data (the restriction then applies for the duration of the review), if processing takes place unlawfully and you refuse deletion, if we no longer require the personal data, but you still need it to assert, exercise, or defend legal claims, or if pursuant to Art. 21 Para. 1 GDPR you filed an objection to the processing (while the legitimacy of the objection is being reviewed);
- pursuant to Art. 20 GDPR, to be given your personal data that you provided to us, in a structured, standard and machine-readable format, or to demand that it be sent to another person responsible;



- pursuant to Art. 7 Para. 3 GDPR, at any time to revoke the consent that you have given us. As a result, in future we will not be able to continue the data processing that relied on this consent and
- pursuant to Art. 77 GDPR, to complain to a supervisory authority. See No. 7 for further information on this.

## 7. Right of complaint

If you have any questions or complaints, you can contact our data protection officer (see No. 1) letter c)) or a data protection supervisory authority (Art. 77 GDPR).

The data protection supervisory authority responsible for FUCHS is:

**State Commissioner for Data Protection and Freedom  
of Information Baden-Württemberg**

**PO Box 10 29 32, 70025 Stuttgart**

**Königstraße 10a, 70173 Stuttgart**

**Tel.: 0711/61 55 41-0**

**Fax: 0711/61 55 41-15**

**Email: [poststelle@ldi.bwl.de](mailto:poststelle@ldi.bwl.de)**

**Website: [https://www.baden-wuerttemberg.  
datenschutz.de](https://www.baden-wuerttemberg.datenschutz.de)**



FUCHS PETROLUB SE  
Investor Relations  
Friesenheimer Straße 17  
68169 Mannheim, Germany

Tel.: +49 621 3802-1105  
Fax +49 621 3802-7274  
[www.fuchs.com/group](http://www.fuchs.com/group)  
Email: [ir@fuchs.com](mailto:ir@fuchs.com)