

As of March 2023

# INFORMATION ON DATA PROTECTION FOR SHAREHOLDERS OF BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT.

Non-binding convenience translation.

With the following information we would like to inform you about the processing of your personal data as a shareholder of Bayerische Motoren Werke Aktiengesellschaft (hereinafter "BMW AG") in connection with the Annual General Meeting. Further information on the processing of personal data by BMW AG can be found at [www.bmwgroup.com/en/general/data\\_privacy.html](http://www.bmwgroup.com/en/general/data_privacy.html).

## **1. Who is responsible for processing my data and who is the data protection officer?**

The data controller is Bayerische Motoren Werke Aktiengesellschaft, Petuelring 130, 80788 Munich, registered office and court of registration: Munich, HRB 42243.

You can contact our data protection officer at the above address or at [datenschutz@bmw.de](mailto:datenschutz@bmw.de).

## **2. What data do we process from you and for what purpose?**

We process your personal data in connection with the preparation, holding and post-processing of the Annual General Meeting.

If you register for the Annual General Meeting, we will process your name, address and details of your shares (number and type of shares held) in order to enable you as a shareholder to exercise your rights at the Annual General Meeting including the use of the online service. If you are using the online service, we will also process the login number of your registration confirmation and your access data to the online service. In the event of a request for items to be added to the agenda, counter motions or election proposals, we must publish some of your personal data in compliance with the provisions of the German Stock Corporation Act (AktG). If you exercise your voting rights, this data will also be processed. The same applies to the exercise of the right to speak and to request information, the submission of statements, the filing of motions or the raising of objections. If you contact us by e-mail or wish to receive business documents that are to be made accessible, we will save your e-mail address exclusively for the purpose of processing this request. If you authorise another person to attend the Annual General Meeting (i.e. to follow the meeting electronically) and/or to exercise the associated rights, BMW AG will process the name and address of your authorised representative in order to ensure that the Annual General Meeting is

your personal data will be deleted or made anonymous as soon as it is no longer required for the being held properly. In this case, you must inform the authorised representative about the data processing of his/her personal data by BMW AG.

The legal basis for processing in these cases is Article 6 (1) sentence 1 lit. c) of the General Data Protection Regulation (GDPR) in conjunction with §§ 67e, 118 et seq. AktG. The processing is necessary for the fulfilment of our legal obligations. In addition, we also process the same personal data to comply with other statutory verification and retention obligations, e.g. in accordance with supervisory, securities, stock corporation, commercial and tax requirements.

In accordance with Article 6 (1) sentence 1 lit. a) GDPR, we also process personal data based on your consent such as your name and place of residence, information about your shares and, if applicable, membership in a shareholders' association in connection with the submission of statements.

In addition, the processing of personal data may also be required in individual cases for the protection of legitimate interests such as ensuring the smooth running of the Annual General Meeting. The legal basis for processing in these cases is Article 6 (1) sentence 1 lit. f) GDPR.

If your personal data is intended to be processed for purposes other than those mentioned above, you will be informed in advance in accordance with and within the scope of the applicable legal provisions.

### **3. How long do we store your data?**

In principle, your personal data will be deleted or anonymised as soon as it is no longer required for the above-mentioned purposes and we are not obliged to continue to save the data in accordance with statutory obligations. For data collected in connection with Annual General Meetings, the retention period can be up to 10 years. Beyond this, BMW AG only retains personal data if this is necessary in connection with claims asserted against the company (statutory limitation period of up to 30 years).

### **4. How do we protect your data?**

We secure your data according to the state of the art. The following security measures are used as examples to protect your personal data from misuse or other unauthorised processing:

- Access to personal data is restricted to a limited number of authorised persons for the specified purposes.
- Collected data is transmitted in encrypted form only. This does not apply to shareholders who send data to BMW AG without encryption. In these cases, BMW AG may also send data without encryption to the shareholder.
- Sensitive data is stored in encrypted form only. This does not apply if, and to the extent that, shareholders send sensitive data to BMW AG via unencrypted e-mail or other unencrypted means.
- The IT systems used to process the data are technically isolated from other systems in order to prevent unauthorised access, e.g. through hacking.
- In addition, access to these IT systems is permanently monitored in order to detect and prevent misuse at an early stage.

### **5. Whom do we share data with?**

We use external service providers and their subcontractors for the handling of the Annual General Meeting, who process your data exclusively within the EU. The external service providers only

receive such personal data from BMW AG that is necessary to execute their mandate, and they process personal data solely based on BMW AG's instructions.

We may also share your personal data with other third parties, particularly authorities, in order to fulfil legal obligations of disclosure (e.g. when a shareholder's percentage of voting rights passes certain legal thresholds). If you or your authorised representative attend the Annual General Meeting, other attendees and BMW shareholders may inspect the personal data entered in the list of attendees in accordance with § 129 AktG.

### **6. What rights do you have as a data subject?**

You may claim certain rights under the GDPR and other relevant data protection regulations. Under the GDPR, you are entitled to claim the following specific rights vis-à-vis BMW AG as the data subject:

- the right of access by the data subject (Article 15 GDPR),
- the right of rectification (Article 16 GDPR),
- the right to erasure (Article 17 GDPR),
- the right to restriction of processing (Article 18 GDPR),
- the right to data portability (Article 20 GDPR),
- the right to object (Article 21 GDPR).

Information in greater detail on your rights can be found at [www.bmwgroup.com/en/general/data\\_privacy.html](http://www.bmwgroup.com/en/general/data_privacy.html).

## **7. To whom can I turn as a data subject?**

If you have any questions regarding the use of your personal data, please contact us at [hv@bmw.de](mailto:hv@bmw.de).

You can also contact the responsible data protection officer at BMW AG: Data protection officer, BMW AG, Petuelring 130, 80788 Munich, Germany, [datenschutz@bmw.de](mailto:datenschutz@bmw.de).

BMW AG takes your concerns and rights very seriously. However, if you are of the opinion that we have not sufficiently complied with your complaints or concerns, you have the right to file a complaint with your data protection supervisory authority.