

Privacy Policy for Shareholders of Gigaset AG

Version: 05/2023

One of the key concerns of the EU General Data Protection Regulation (GDPR) is the transparency of data processing. Protecting your personal data is particularly important to us. For this reason, we also take protecting the data of our shareholders, their representatives and the visitors to the Company's Annual General Meeting very seriously. The following information is intended to inform you about the processing of your personal data by Gigaset AG and your rights under data protection law.

1. Who is the controller of the data processing?

Gigaset AG, Frankenstrasse 2, 46395 Bocholt, Germany

Email: datenschutz@gigaset.com

Tel.: +49 (2871) 912 912*

* Your provider's fixed-line rate applies.

For any questions about data privacy, also in relation to the Annual General Meeting and the use of our website, feel free to contact our Data Protection Officer at any time. He can be reached at the above postal address as well as at the above email address to the attention of the Data Protection Officer.

2. For what purposes and on what legal basis are your data processed? What data do we obtain, and from whom?

We process your personal data in compliance with the GDPR, the German Federal Data Protection Act (Bundesdatenschutzgesetz, BDSG), the German Stock Corporation Act (Aktiengesetz, AktG) as well as all other applicable regulations.

We process your personal data (including but not limited to your name, address, email address, number of shares, admission ticket number and the issuance of proxies or instructions, as applicable) in order to enable you, as a shareholder, to attend and exercise your rights at the Annual General Meeting. The data processing includes operations in connection with registration for and participation in the Annual General Meeting (e.g. identity check, verification of entitlement to participate, preparation of the list of participants) as well as the exercise of rights in the context of the Annual General Meeting (e.g. granting and revocation of powers of attorney and instructions, exercise of voting rights, rights to submit motions, rights to speak and rights to information as well as 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 shares of Gigaset AG are bearer shares. Therefore, Gigaset AG does not keep a share register pursuant to Section 67 AktG that would indicate the name or other personal data of the shareholder. Gigaset AG obtains personal data from shareholders when they register for the Annual General Meeting or from the custodian banks via providers engaged for this purpose.

If a shareholder's authorised representative attends the Annual General Meeting, we process the shareholder's personal data provided in the proxy issued, as well as the first and last name and residence or address of the authorised representative. If a proxy and instructions have been issued to the voting representatives, the issued instructions are also processed, and the Company keeps a verifiable record of the written proxy for three years.

In the Annual General Meeting, a list of attendees is kept pursuant to Section 129 (1) sent. 2 AktG, along with the following data: admission ticket number, first and last name and residence of the represented shareholder or shareholder representative and the Company's voting representative, number of shares, class of shares, number of voting rights and ownership type of shareholding.

If a shareholder requests that items be placed on the agenda, Gigaset AG will make these items known along with the shareholder's name if the requirements have been met as specified by joint stock company legislation. Gigaset AG will also make counter motions and election proposals of shareholders, along with the respective shareholder's name, available on the website of Gigaset AG if the requirements specified by joint stock company legislation have been met (Sections 122 (2), 126 (1) and 127 AktG).

The legal basis for the processing of personal data in relation to the processing activities described above is Section 67e AktG in conjunction with Art. 6 (1) sent. 1 lit. c) GDPR.

Furthermore, we may also process your personal data in order to fulfil other statutory obligations, e.g. regulatory requirements as well as tax, commercial, securities and stock market duties of safekeeping. The legal basis for the processing is comprised by the respective statutory rules in conjunction with Art. 6 (1) sent. 1 lit. c) GDPR.

In individual cases, Gigaset AG may also process your data for the legitimate purposes of the Company or a third party in accordance with Art. 6 (1) sent. 1 lit. f) GDPR. This applies, for instance, if you object to resolutions of the Annual General Meeting. In this case, we will process your personal data (name, address and admission ticket number and details) based on our legitimate interest in handling your objection. This also applies if, e.g., in connection with capital increases, we have to exclude certain shareholders or groups of shareholders – based on their nationality or place of residence – from being informed of subscription offerings so that we do not infringe the legislation of certain countries. For information on the right to object to data processing to safeguard legitimate interests, please see Section 5.

We do not engage in any purely automated decision-making, as referred to in Art. 22 GDPR, or profiling.

3. What recipient categories may we disclose your data to?

External service providers and consultants:

At times, we engage the services of external providers to manage and conduct our Annual General Meetings (GM service providers, providers for printing and sending out shareholder communications). Where necessary, your personal data are processed in accordance with Art. 28 GDPR. As appropriate, for the purpose of the Annual General Meeting, we also engage consultants and attorneys to whom personal data may be available.

Other recipients:

If you as a shareholder or your representative attends the Annual General Meeting, other shareholders or their representatives may, pursuant to Section 129 AktG, access the data about you that are stored in the list of attendees. Insofar as the shareholder or his representative authorises the proxies appointed by the Company, these proxies shall receive the personal data required for the exercise of voting rights in accordance with instructions. We publish requests to add items to the agenda pursuant to Section 122 (2) AktG and countermotions and election proposals pursuant to Sections 126 (1) and 127 AktG as specified by law.

Furthermore, we may be required to transmit personal data to other recipients, e.g. shareholder data to government agencies, in order to fulfil our statutory disclosure requirements.

We do not plan to transmit personal data to any recipient in a third country (i.e. a country outside the European Union or the European Economic Area, as applicable).

4. How long do we store your data?

We generally anonymise or delete your personal data as soon as they are no longer required for the above-mentioned purposes and in so far as statutory evidentiary and safekeeping obligations (e.g. in the AktG, the German Commercial Code (Handelsgesetzbuch, HGB), the German Tax Code (Abgabenordnung, AO)) do not require us to continue storing them. For data recorded in relation to Annual General Meetings, the storage period is normally up to three years. Unless otherwise specified by law, as soon as we are informed that your shares have been sold, we will continue to store your personal data for up to an additional 12 months. Apart from this, we retain personal data only in exceptional cases if and for as long as this is necessary regarding claims brought against our Company (statute of limitations of up to 30 years).

5. What rights do you have as a data subject?

In so far as we process personal data about you, you have the following rights as required by law.

- Right of access to the data we have stored regarding you (Art. 15 GDPR);
- Right to rectification of inaccurate data we have stored regarding you (Art. 16 GDPR);
- Right to erasure of your data, particularly if they are no longer necessary for the purposes for which they were originally collected (Art. 17 GDPR);
- Right to restriction of processing (blocking), particularly if the processing of your data is unlawful or you contest the accuracy of your data (Art. 18 GDPR).

Under Art. 21 (1) GPDR, you have the right to object to the processing of your data for purposes of the legitimate interests of the Company or a third party:

Right to object: If we process your data for the purposes of safeguarding legitimate interests, you can object to this processing at our address indicated in Section 1 if, based on your particular situation, grounds exist which are incompatible with this data processing. We will then cease this processing unless the Company can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or if the processing is conducive to the establishment, exercise or defence of legal claims.

6. Would you like to lodge a complaint regarding the handling of your data?

You have the option to contact our Data Protection Officer (see Section 1 above). You also have the right to lodge a complaint with the data protection regulatory authorities. The authority having jurisdiction over Gigaset AG is:

North Rhine-Westphalia State Commissioner for Data Protection and Freedom of Information
PO Box 20 04 44
40102 Düsseldorf, Germany

Tel.: +49 (211) 38424-0
Fax: +49 (211) 38424-999
Email: poststelle@ldi.nrw.de

* This Privacy Policy is addressed to men and women equally. However, to facilitate reading, it uses only male pronouns.