

# New Work SE

## Information for shareholders on data protection

Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation – “GDPR”) has been in effect since 25 May 2018, together with new provisions under German data protection law. One of the primary concerns of the GDPR is the obligation to provide information relating to the collection of personal data (transparency of data processing). We take the protection of data relating to our shareholders very seriously. The following information details how New Work SE (the “Company”) processes your personal data and the rights to which you as a shareholder are entitled under data protection law.

### 1. Who is responsible for the processing of data?

New Work SE  
Am Strandkai 1  
20457 Hamburg  
Germany  
Tel.: +49 40 419 131-0  
Fax: +49 40 419 131-11  
E-mail: [info@new-work.se](mailto:info@new-work.se)

If you have any questions about the information in this document, you can contact our Data Protection Officer either by post or by e-mail at the following address:

New Work SE  
Data Protection Officer  
Am Strandkai 1  
20457 Hamburg  
Germany  
E-mail: [datenschutzbeauftragter@new-work.se](mailto:datenschutzbeauftragter@new-work.se)

Link Market Services (Frankfurt) GmbH is the third-party contractor tasked with managing the Company’s share register.

### 2. For what purposes and on what legal basis is your data processed? Who does the Company obtain the data from?

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) and all other relevant legal provisions.

The Company shares are classed as registered shares. In the case of registered shares, Section 67 of the German Stock Corporation Act stipulates that information shall be entered in the share register of the Company, stating the name, date of birth and address of the shareholder, as well as the number of shares or the share number. The shareholder is generally obliged to provide the Company with this information. The credit institutions involved in the acquisition or cus-

tody of your registered shares in the Company regularly forward to the share register the information relevant to the management of the share register (for example, in addition to the aforementioned data, nationality, gender and remitting bank). This process takes place via Clearstream Banking AG, Frankfurt, which, as the central securities depository, performs the technical processing of securities transactions and the custody of shares on behalf of the credit institutions. If you sell your shares, Clearstream Banking AG, Frankfurt, will also inform us about this.

We use your personal data for the purposes specified in the German Stock Corporation Act. These purposes are, in particular, the management of the share register, the communication with you as a shareholder and various processes relating to the holding of Annual General Meetings (e.g. registration for the Annual General Meeting, documentation of eligibility to participate, and compilation of the attendance list).

Section 67 (6) Sentence 4 of the German Stock Corporation Act stipulates that the data entered in the share register may only be used to advertise the company provided the shareholder does not object. The shareholders shall be informed appropriately of their right to object (Section 67 (6) Sentence 5 of the German Stock Corporation Act). However, the Company does not currently use any information in the share register for advertising purposes, nor does it intend to do so at present.

In addition, the Company may use your data for purposes that are compatible with the aforementioned (in particular for the production of statistics, e.g. for the presentation of the shareholder development, number of transactions, or overview of the largest shareholders). Alongside this, the Company may also process your personal data to fulfil other legal obligations, for example, regulatory requirements, as well as stock, commercial and tax legislation retention obligations.

The legal basis for processing your personal data is the German Stock Corporation Act in conjunction with Article 6 (1) (c) and (4) of the GDPR. The GDPR expressly stipulates that any processing of personal data shall also be justified on the grounds of special legal obligations (beyond the scope of the GDPR).

In specific cases, the Company may also process your data for the purposes of the legitimate interests of the Company or those of a third party, in accordance with Article 6 (1) (f) of the GDPR. This is the case, for example, if, in the event of capital increases, the Company is obliged to exempt individual shareholders or groups of shareholders from information on subscription offers due to their nationality or place of residence to comply with securities regulations applicable to the countries concerned. Please refer to Section 6 of this document for more information about your right to object to the processing of data for the safeguarding of legitimate interests.

In the context of holding Annual General Meetings, the Company processes personal data (in particular the name, date of birth, address and other contact details of the shareholder, the number of shares, class of shares, and, if applicable, the name and address of each shareholder's authorised representative) in compliance with the applicable data protection provisions. In addition to shareholders' personal data saved in the Company's share register, the Company also processes data obtained from the information provided by shareholders while registering for the Annual General Meeting or information transferred to the Company on behalf of shareholders by their respective custodian banks for the same reason.

The processing of personal data in connection with Annual General Meetings serves the purpose of conducting the shareholders' registration for and participation in the Annual General Meeting (e.g. examination of eligibility to participate) and of enabling the shareholders to exercise their rights in connection with the Annual General Meeting (including the issuance and revocation of powers of attorney).

In the case of authorised proxy voters nominated for the Company's Annual General Meeting, the Company must provide verifiable evidence of and three years' protected access to the corresponding declarations (Section 134 (3) Sentence 5 of the German Stock Corporation Act).

Furthermore, the Company processes data that is communicated to us by shareholders or by other parties obliged to disclose it in connection with voting rights notices pursuant to the German Securities Trading Act ("Wertpapierhandelsgesetz").

The legal basis for data processing in these cases is also the respective legal regulations in conjunction with Article 6 (1) (c) of the GDPR.

If the Company intends to process your personal data for a purpose not mentioned above, we will inform you in advance within the scope of the legal provisions.

### **3. Which categories of recipients might the Company share your personal data with?**

#### ***External service providers:***

The Company avails of a number of external service providers for the administration and technical management of the share register (share register service companies, IT service providers) and the organisation and holding of Annual General Meetings (AGM service providers, service providers for the printing and sending of shareholder notifications, legal advisors). External service providers shall only receive personal data from the Company that is specifically required to render the respective service and shall only process this data in accordance with the instructions of the Company.

#### ***Other recipients:***

If you participate in the Annual General Meeting, the Company is obliged, pursuant to Section 129 (1) Sentence 2 of the German Stock Corporation Act, to enter the name, place of residence, amount of shares and class of shares for each shareholder on the attendance list. This data can be accessed by other shareholders and Annual General Meeting attendees during the meeting itself and by shareholders for up to two years after the date of the meeting (Section 129 (4) of the German Stock Corporation Act).

If a shareholder requests that items be placed on the agenda (Section 122 (2) of the German Stock Corporation Act), the Company shall announce those items stating the name of the shareholder if the conditions pursuant to the stock corporation regulations are met. The Company shall also publish countermotions and election proposals made by shareholders, if the conditions pursuant to the stock corporation regulations are met, stating the name of the shareholder online (Sections 126 (1) and 127 of the German Stock Corporation Act).

Furthermore, the Company is obliged to share your personal data with other recipients such as official bodies and authorities in order to fulfil legal notification obligations (e.g. in the publication of voting rights notices under the provisions of the German Securities Trading Act ("Wertpapierhandelsgesetz").

### **4. How long will your data be saved for?**

In general, we anonymise or erase your personal data as soon as and provided it is no longer required for the purposes specified in this document, and there are no other legal verification and/or retention obligations (in compliance with the German Stock Corporation Act, the German Commercial Code ("Handelsgesetzbuch"), the German Fiscal Code ("Abgabenordnung"), or other legal provisions). The retention period for data recorded in relation to Annual General Meetings is usually three years (subject to special legal requirements).

After the disposal of your shares, we must regularly keep the data stored in the share register for another ten years for reasons relating to commercial and fiscal legislation. Beyond this, we shall only store your personal data in specific cases where necessary with regard to any possible claims against our Company (statutory limitation periods of up to 30 years).

## 5. What rights do you have under data protection law?

By contacting the Data Protection Officer at the address stated in Section 1 of this document, you have the right to access information about which of your personal data is saved, as well as the right to rectification of your personal data, the right to deletion of your personal data, and the right to restriction of processing of your personal data (e.g. if your data is being processed unlawfully). Any demand to delete personal data or to restrict the processing of personal data may conflict with the Company's legally binding retention obligations.

Pursuant to Section 67 (6) Sentence 5 of the German Stock Corporation Act, you have the right to object to your data being used by the Company for the purpose of advertising the Company. However, the Company does not currently use any information in the share register for advertising purposes, nor does it intend to do so at present.

Pursuant to Article 21 (1) of the GDPR, you have the right to object to your data being processed for the purposes of safeguarding the legitimate interests of the Company or those of a third party:

### **Right to object to data processing for safeguarding legitimate interests:**

If your data is processed to safeguard legitimate interests of the Company or those of a third party, you are entitled to object to this by contacting the Data Protection Officer at the address stated in Section 1 of this document, provided that your particular situation gives rise to grounds for opposing the processing of your data. In such a case the Company shall cease processing, unless it is able to demonstrate the existence of compelling legitimate grounds for processing that supersede the interests, rights and freedoms of the affected party, or insofar as the processing serves the establishment, exercise, or defence of legal claims.

## 6. Do you wish to complain about the handling of your personal data?

To file a complaint about the processing of your personal data, you can contact our Company's Data Protection Officer via the contact details stated in Section 1 of this document, to clarify the matter with our Company directly. You also have the option of contacting a data protection regulatory authority. The data protection regulatory authority responsible for our Company is:

Freie und Hansestadt Hamburg  
Der Hamburgische Beauftragte für Datenschutz und Informationsfreiheit  
Ludwig-Erhard-Str 22, 7. OG  
20459 Hamburg  
Germany  
Tel.: +49 40 428 54 – 4040  
Fax: +49 40 428 54 – 4000  
To learn more please visit [www.datenschutz.hamburg.de](http://www.datenschutz.hamburg.de) (in German)

The information in this document was last updated in: April 2022

Whenever relevant changes occur, we will update this document and make it available on our website. We therefore recommend re-reading this information on data protection on a regular basis. We will also

check on a case-by-case basis whether there is any obligation to provide notification by other means in the event of any changes and will meet that notification obligation as appropriate.

This document is concerned with data protection matters relating to your status as a shareholder. Information on data protection regarding the use of our website can be found in our Privacy Policy: <https://www.new-work.se/en/privacy-notice>