

## General data protection declaration for participants of the OMV Aktiengesellschaft Annual General Meeting

In the course of attending the Annual General Meeting of OMV Aktiengesellschaft (FN 93363 z) Trabrennstraße 6-8, A-1020 Vienna, Austria ("**OMV**" or "**we**"), it is necessary for us that we process your personal data. "Personal data" means any information relating to an identified or identifiable person. We will always process your personal data in compliance with the General Data Protection Regulation ("**GDPR**"), the Data Protection Act 2018 ("**DSG 2018**"), the Stock Corporation Act ("**AktG**") and any other relevant legal provisions, as described below:

### 1. Data processing activities

#### 1.1. Purpose of data processing

The processing of personal data ("**data**") in connection with the Annual General Meeting is carried out for the following purposes:

- Organisation of participation in the General Meeting by creating a directory of all participants (shareholders and shareholder representatives),
- Verification of entitlement to participate as a holder of bearer shares or as shareholder representative,
- Processing of registration for the Annual General Meeting (creation of a registration list and – if necessary for organisational reasons – a guest list),
- Documentation of the granting and revocation of powers of attorney (creation of a list of powers of attorney),
- Exercise of shareholder rights in connection with the Annual General Meeting and the related live and on-demand Internet transmission of the Annual General Meeting,
- Preparation of the minutes of the Annual General Meeting,
- Determination of voting behaviour and documentation of voting results,
- Fulfilling compliance obligations, including recording, disclosure and reporting obligations.

Shareholders, who participate in the Annual General Meeting and wish to exercise shareholder rights must provide the Company with evidence of their ownership of shares on the record date. Shareholders are obliged to provide evidence of share ownership for bearer shares in the form of a confirmation from the custodian bank (deposit confirmation). The entitlement to participate in the Annual General Meeting and to exercise the voting right and other shareholder rights to be exercised at the Annual General Meeting is based on the ownership of shares on the record date. We will therefore process your data retrieved from the deposit confirmation as evidence of shareholding ownership for the purpose of attending the Annual General Meeting and to enable you to exercise your rights as a shareholder.

#### 1.2. Scope of data processing activities

The scope of data processing can be summarised as follows:

- (a) **Data from the deposit confirmation.** From the deposit confirmation, which is issued by the custodian bank, we process the following data: name, company name, address, date of birth, registered office (for legal entities), company register number (for legal entities), issuer of the deposit confirmation, number of the securities account, the number and, if applicable, the nominal value of the shares; the designation

of the class or the internationally customary securities identification number; the time or period the deposit confirmation refers to.

- (b) **Data for access control.** To verify the identity at the entrance to the Annual General Meeting, an official photo ID of each participant (driving licence, passport, ID card) must be presented. For documentation purposes, we will record the relevant ID page, ID card number, type of ID card and issuing authority as well as the number of the voting card in case that you participate as a shareholder or shareholder representative.
- (c) **Representative's data.** Every shareholder who is entitled to attend the Annual General Meeting has the right to appoint a natural or legal person as representative. The data of the representative (including his/her ID data) must also be processed by us accordingly. In the event that you are represented at the Annual General Meeting, we will also collect the name and place of residence of the shareholder representative as well as his or her scope of power of attorney as part of the access control.
- (d) **Data for submitting agenda items or proposed resolutions.** If a shareholder requests that items be placed on the agenda (Section 109 Austrian Stock Corporation Act) or that proposals for resolutions be made (Section 110 Austrian Stock Corporation Act), we will publish these items on OMV's website, stating the name of the shareholder and the share ownership, if the conditions in accordance with the provisions of the Austrian Stock Corporation Act are fulfilled.
- (e) **Video recording of the Annual General Meeting.** Please note that the Annual General Meeting will be recorded and broadcasted on video. This is transmitted in real time to collect shareholder questions in the back office area of the Annual General Meeting.

In addition, the video and audio recordings of the Management Board's report to the Annual General Meeting will be transmitted in real time for shareholders who are not present via the Internet (Section 102 (4) Austrian Stock Corporation Act in conjunction with Section 21 (3) of the Statutes of OMV) as well as subsequently made available on the Internet in the interest of those shareholders who cannot participate in the Annual General Meeting or in the real-time transmission of the Management Board report.

Both are in the legitimate interest of OMV and its shareholders. The processing of the above-mentioned data is necessary to achieve the above-mentioned purposes. If the above data is not made available or not made available to the extent required, participation in the Annual General Meeting is not possible.

At the same time, the audio recordings shall be stored by a notary in accordance with Section 120 Austrian Stock Corporation Act for the purpose of recording a transcript.

### 1.3. Legal basis for data processing

Within the framework of the purposes listed under item 1.1, OMV's shareholder data are processed in principle to fulfil legal obligations (Art. 6 para. 1 lit c of the GDPR, and Art. 12 para. 2 no. 3 DSG 2018) or to safeguard the legitimate interests of the company or a third party (Art. 6 para. 1 lit f of the GDPR, Art. 12 para. 2 no. 4 DSG 2018). Furthermore, in individual cases the processing of shareholder data may be necessary for the assertion, exercise or defence of legal claims in judicial, administrative or extrajudicial proceedings.

## 1.4. Duration of data storage

Your data will be anonymized or deleted as soon as it is no longer necessary for the purposes for which it was processed and unless other legal requirements require further storage. Our duties of proof and storage arise in particular from commercial and stock corporation law, tax and fiscal law and money laundering regulations. Where legal claims are raised by shareholders against OMV or by OMV against shareholders, the storage of data serves to clarify and enforce claims. For further information on the storage period of your data, please contact our Group Data Protection Officer (see point 3 below).

## 1.5. Recipients of the data

Your data will be passed on to the following third parties in accordance with our legal obligation:

- the Commercial Register Court at the Commercial Court of Vienna;
- the Vienna Stock Exchange (on occasion);
- the Financial Market Authority (on occasion);
- the Austrian Control Bank (on occasion).

In accordance with our legal obligations, we also transmit your data to a notary public, who is appointed by OMV to draw up the legally required documents for the documentation of the Annual General Meeting for the commercial register, as well as to lawyers who advise us in connection with the Annual General Meeting.

In addition, we have commissioned a service provider specialised in the organisation of Annual General Meetings for the purposes of registering for the Annual General Meeting, handling admission control, administering deposit confirmations, recording questions, carrying out votes and video recording. This service provider is contractually obliged to comply with data protection regulations.

All participants with legal participation rights have the right to examine the register of participants on site. Due to a legal obligation, the register of participants will also be included in the minutes of the Annual General Meeting, which must be recorded in the Commercial Register of the Commercial Court of Vienna in the publicly available collection of documents.

If you request the submission of agenda items or proposed resolutions, we will publish the data mentioned in item 1.2. (d) on our website [www.omv.com](http://www.omv.com) under *Home › About us › Corporate Governance › General Meeting › Annual General Meeting 2019* to the extent required by law.

Furthermore, the data will not be passed on to third parties. Data will not be transferred to recipients in third countries.

## 2. Rights of the data subjects

According to the current legal situation, you as a data subject have at any time the right to the following with regard to your data processed by us:

- to obtain confirmation about the data we process about you,
- correction of inaccurate data,
- data portability,
- limitation of processing and

- deletion ("right to be forgotten").

If your data is processed on the basis of our legitimate interest, you also have the right to object to the processing of the data concerning you at any time for reasons arising from your particular situation.

If the processing of your data is based on your consent, you also have the right to revoke this consent at any time with effect for the future. Such a revocation does not affect the legality of the data processing carried out on the basis of consent until the revocation.

We would like to point out that no automated decision making takes place within the framework of this data processing.

In order to exercise your aforementioned rights, please send a letter to OMV Aktiengesellschaft, Trabrennstraße 6-8, A-1020 Vienna, for the attention of Mr. Manfred Spanner MSc. or send an e-mail to [privacy@omv.com](mailto:privacy@omv.com). In order to efficiently respond to your requests, we ask you to provide us with confirmation of your identity, for example by sending an electronic copy of your ID.

If you are of the opinion that our processing of your data violates applicable law or that your data protection rights have been violated in any other way, please contact us as described above so that we are aware of your concerns and respond accordingly. Irrespective of the possibility of legal action at court and any other legal remedies, there is also the possibility of complaining to a competent supervisory authority (in Austria: Austrian Data Protection Authority).

### 3. Data Protection Officer of OMV Aktiengesellschaft

The Group Data Protection Officer of OMV Aktiengesellschaft is Mr. Manfred Spanner, MSc. (e-mail: [privacy@omv.com](mailto:privacy@omv.com)).

Further information can be found at <https://www.omv.com/en/about-us/corporate-governance/data-protection>.