



Information regarding data protection for the shareholders of K+S Aktiengesellschaft

Ordinary Annual General Meeting of K+S Aktiengesellschaft
on Wednesday, May 10, 2023, 10:00 a.m.,
which will be held as a virtual Annual General Meeting without the physical
presence of shareholders or their proxies.



Dear Shareholders,

With this document, we would like to inform you about the processing of your personal data by K+S Aktiengesellschaft and the rights to which you are entitled under the applicable data protection laws.

As the responsible party, the Company processes personal data of shareholders (e.g., surname and first name, address, e-mail address, number of shares, class of shares, type of ownership of shares, shareholder number, access data for the password-protected Online Service, IP address, number of the securities account, number of the admission ticket) and, where applicable, personal data of shareholder representatives in compliance with the applicable data protection laws. If shareholders do not provide their personal data themselves, the Company generally receives this data from the shareholder's custodian bank (so-called ultimate intermediary).

The shares of the Company are registered shares. Pursuant to Section 67 of the German Stock Corporation Act (AktG), these must be entered in the Company's share register, stating the name, date of birth, and address (including e-mail address) of the shareholder and - in the case of no-par value shares - the number of shares or the share number. The shareholder is generally obliged to provide the Company with this information.

The processing of personal data of shareholders and shareholder representatives is legally necessary for the proper preparation and conduct of the virtual Annual General Meeting, for the exercise of shareholder rights and for the maintenance of the share register. For the conduct of the Annual General Meeting, this includes in particular the processing of registration, making available comments submitted in advance, accessing the virtual Annual General Meeting by means of electronic participation, exercising voting rights, exercising the right to speak, ask questions and submit motions during the Annual General Meeting, compiling the list of participants and recording objections and questions in the notarized minutes. The Company also transmits the Annual General Meeting in the so-called Online Service via livestream and to the back office for shorthand recording. The legal basis for the processing of personal data is Article 6 (1) lit. c) of the German Data Protection Regulation (DS-GVO) in conjunction with Section 67, Section 67e, Sections 118 et seq. of the German Stock Corporation Act (AktG) or, insofar as technically necessary cookies that are stored on the user's terminal device are used, Section 25 (2) No. 2 of the Telecommunications Telemedia Data Protection Act.

Furthermore, data processing serving the organization of the virtual Annual General Meeting or otherwise necessary to safeguard the legitimate interests of the Company (e.g., for statistical purposes) may be carried out based on overriding legitimate interests (Article 6 (1) Sentence 1 lit. f) of the German Data Protection Regulation (DS-GVO)).

The Company is also subject to various legal obligations, for example under supervisory law, sanctions law, and commercial and tax law, which may make it necessary to process the personal data of shareholders or shareholder representatives. The legal basis for data processing in this case is the respective legal regulations in conjunction with Article 6 (1) Sentence 1 lit. c) of the German Data Protection Regulation (DS-GVO).

The service providers commissioned by the Company for the purpose of organizing the virtual Annual General Meeting shall process the personal data of the shareholders or shareholder representatives exclusively in accordance with the instructions of the Company and only to the extent necessary to perform the commissioned service. All employees of the Company and the employees of the commissioned service providers who have access to and/or process personal



data of the shareholders or shareholder representatives are obliged to treat this data confidentially.

Furthermore, personal data such as, in particular, the name of shareholders and, where applicable, shareholder representatives will be made available to other shareholders and shareholder representatives within the framework of the statutory provisions (in particular regarding the list of participants, Section 129 of the German Stock Corporation Act (AktG)). This also applies to personal data contained in statements submitted in advance, in motions to amend the agenda, counter motions or election proposals, as well as, where applicable, in contributions in the context of exercising the right to speak or answering questions. In these cases, the legal basis is Article 6 (1) Sentence 1 lit. c) of the German Data Protection Regulation (DS-GVO) or, if there is no legal obligation to publish the personal data, Article 6 (1) Sentence 1 lit. f) of the German Data Protection Regulation (DS-GVO). In addition, the Company may be required by law to disclose your personal data to other recipients, such as public authorities for the fulfillment of legal notification obligations.

The Company shall delete the personal data of shareholders and shareholder representatives in accordance with the statutory provisions as soon as the two-year inspection period pursuant to Section 129 (4) of the German Stock Corporation Act (AktG) has expired, the personal data is no longer necessary for the original purposes for which it was collected or processed, the data is no longer required in connection with any administrative or legal proceedings, and there are no statutory retention obligations.

Subject to the statutory requirements, the existence of which must be verified in each individual case, shareholders or shareholder representatives have the right to obtain information about their personal data processed and to request the correction or deletion of their personal data or the restriction of processing. In addition, shareholders or shareholder representatives have the right to lodge a complaint with the competent data protection supervisory authorities and the right to receive their personal data in a structured, common, and machine-readable format. If personal data is processed pursuant to Article 6 (1) Sentence 1 f) of the German Data Protection Regulation (DS-GVO), the shareholders or shareholder representatives shall also have the right to object under the statutory conditions, the existence of which must be verified in each individual case.

For any comments and queries regarding the processing of personal data and the assertion of data protection rights, shareholders and shareholder representatives can contact the Company's Data Protection Officer at:

K+S Aktiengesellschaft
Data Protection Officer
Post box 10 20 29
34111 Kassel, Germany
E-Mail: dataprotection@k-plus-s.com

Kassel, Germany, March 2023

The Board of Executive Directors
K+S Aktiengesellschaft
with registered seat in Kassel, Germany