

Privacy Notice

1. Controller, categories of processed data and purposes of data processing

Fresenius Medical Care AG & Co. KGaA, Else-Kröner-Straße 1, 61352 Bad Homburg v.d. Höhe, Germany (Company), e-mail: ir@fmc-ag.com, processes personal data (in particular name, first name, address, e-mail address, number of shares, type of ownership of shares, number of the access card, and voting, and, as the case may be, name, first name and address of a proxy authorized by the respective shareholder) as controller in accordance with applicable data protection laws to enable shareholders to exercise their rights in the context of the virtual General Meeting. If shareholders or proxies and the Company contact each other, the Company also processes the personal data (for example the contact data provided by the shareholder or proxy, such as e-mail address or telephone number) necessary to respond to any requests or, for example, to check the functionality of the video communication in the context of speeches pursuant to section 130a (6) AktG. If applicable, the Company also processes personal data relating to the exercise of shareholder rights such as to questions, speeches, statements, motions, election proposals and requests of shareholders or proxies in the context of the virtual General Meeting or relating to the preparation of the list of participants pursuant to section 129 (4) AktG.

2. Legal basis for data processing

The legal basis for the processing are Article 6 (1) sentence 1 lit. a), Article 6 (1) sentence 1 lit. c) as well as Article 6 (1) sentence 1 lit. f) of the General Data Protection Regulation (GDPR).

3. Categories of recipients of personal data, data sources and retention period

The Company and, respectively, the service providers of the Company that are engaged in the context of the virtual General Meeting receive the personal data of the shareholders or proxies from the registration office, which receives the data either from the shareholders or proxies themselves or from the depositary banks of the shareholders. The service providers engaged by the Company receive only personal data from the Company that are required to provide the requested services, and process data only based on instructions by the Company. Additional personal data relating to, for instance, questions, speeches, statements, motions, election proposals and requests of shareholders or proxies may also be collected in the context of the virtual General Meeting. Statements published in the

Shareholder Portal are available there until the end of the General Meeting and subsequently will be deleted in a timely manner. In addition, personal data will be processed and made available to shareholders and proxies in the context of the virtual General Meeting within the framework of statutory provisions, in particular via the list of participants, which in the case of a virtual General Meeting must also show the shareholders or proxies who are electronically connected to the meeting. The personal data will be stored by the Company in accordance with legal obligations and for the avoidance of potential liability risks and will be deleted afterwards.

4. Rights of data subjects and contact details of the data protection officer

In accordance with the statutory provisions, shareholders and proxies are at any time entitled as data subjects to exercise their rights of access, of rectification, of restriction, of objection and of erasure regarding the processing of their personal data and are also entitled to exercise their right to data portability in accordance with chapter III of the GDPR. Shareholders and proxies have a right to withdraw any consent given by them. Shareholders and proxies can assert these rights towards the Company free of charge via the contact details indicated above or directly vis-à-vis the data protection officer: Fresenius Medical Care AG & Co. KGaA, Mr. Giovanni Brugugnone, Else-Kröner-Straße 1, 61352 Bad Homburg v.d. Höhe, Germany, e-mail: datenschutzbeauftragter@fmc-ag.com. In addition, shareholders have the right to lodge a complaint with a supervisory authority pursuant to Article 77 GDPR.

Further information regarding the processing of personal data of shareholders or proxies in the course of the use of the Shareholder Portal are available in the Shareholder Portal.