Update of the
Declaration of Compliance

Fresenius Medical Care AG & Co. KGaA
Update of the
Declaration of Compliance by the Management Board of the general partner of
Fresenius Medical Care AG & Co. KGaA, Fresenius Medical Care Management AG,
and by the Supervisory Board of Fresenius Medical Care AG & Co. KGaA on the
German Corporate Governance Code pursuant to Section 161 German Stock
Corporation Act (Aktiengesetz) dated December 2020

The Management Board of Fresenius Medical Care Management AG (hereafter: the Man-
agement Board), as the general partner of Fresenius Medical Care AG & Co. KGaA (here-
after: the Company), and the Supervisory Board of the Company last issued a declaration
of compliance on the recommendations of the German Corporate Governance Code (here-
after: the Code) pursuant to Section 161 of the German Stock Corporation Act in December
2020. This declaration is updated as follows:

Code recommendation G.8
Pursuant to recommendation G.8 of the Code, subsequent changes to the target values or
comparison parameters of the variable compensation of the members of the Management
Board shall be excluded. For precautionary reasons, a deviation from this recommendation
is declared.

For the 2020 fiscal year, an impairment of goodwill and tradenames in the Latin America
segment has materialized with an impact of almost EUR 195 million as a consequence of
the macro-economic downturn and increasing risk adjustment rates for several countries
in Latin America. In particular to ensure the comparability of the underlying financial figures
of the performance targets with the Company's operating performance and to adequately
recognize the actual performance of the members of the Management Board, the Supervi-
sory Board of the general partner – in accordance with the recommendation G.11 of the
Code, pursuant to which the Supervisory Board shall have the possibility to account for
extraordinary developments to an appropriate extent – has decided to disregard the Latin
American impairment in question, which solely relates to the carrying amounts, when de-
termining the relevant target achievement.

In all other respects, the declaration of compliance of December 2020 remains unaffected.

Bad Homburg v.d. Höhe, February 2021

Management Board of the general partner of
Fresenius Medical Care AG & Co. KGaA,
Fresenius Medical Care Management AG, and
Supervisory Board of Fresenius Medical Care AG & Co. KGaA