

## Annual General Meeting of BioNTech SE on 16 May 2025

### Data protection information for shareholders, shareholder representatives and ADS holders

We hereby inform the shareholders of BioNTech SE (the "**Company**") as well as shareholder representatives and holders of the Company's American Depositary Shares issued by The Bank of New York Mellon ("**ADS holders**") about the processing of personal data in connection with the Annual General Meeting 2025 and the associated rights under data protection law.

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

The controller for the data processing described below is

BioNTech SE  
An der Goldgrube 12  
55131 Mainz  
Germany

The Company's data protection officer can be contacted by e-mail at [data.privacy@biontech.de](mailto:data.privacy@biontech.de) or by post at the above address of the Company (with the addition "Data Protection Officer").

#### 2. What personal data is processed? From whom does the Company receive which data?

The Company processes personal data in compliance with 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**"), the German Federal Data Protection Act ("**BDSG**"), Council Regulation (EC) No. 2157/2001 of 8 October 2001 on the Statute for a European company (SE) ("**SE Regulation**"), the German Stock Corporation Act ("**AktG**") and all other relevant legal provisions.

The Company's shares are registered shares. Section 67 (1) AktG stipulates that registered shares must be entered in the Company's share register, stating the surname, first name, date of birth and an address as well as an electronic address of the shareholder and 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 custody of registered shares in the Company regularly forward the information relevant for maintaining the share register to the Company. This is done via Clearstream Banking Frankfurt, which acts as the central securities depository for the technical settlement of securities transactions and the safekeeping of shares for companies.

Furthermore, personal data of shareholders (in particular surname, first name, address, date of birth, e-mail address, number of shares, type of shareholding, access data for the Investor Portal, acceptance of the terms of use, information on the exercise of voting rights, proxy or authorization and instructions, as well as personal data in motions, speeches, questions, statements, election proposals, objections and requests or other communication, communication data to check the functionality of the Annual General Meeting) and possibly also corresponding personal data of shareholder representatives and ADS holders are processed in connection with the preparation, orderly organization and follow-up of the Annual General Meeting.

In addition, the browser automatically transmits personal data when using the Investor Portal (date and time of access, amount of data transferred, notification of whether access was successful, IP address, type of web browser, the previously visited website). In order to ensure the operation of the Investor Portal, the Company only uses cookies that are technically necessary. The use of cookies can be prevented by adjusting the browser settings. However, completely blocking all cookies may, under certain circumstances, mean that the investor portal cannot be used.

If the shareholders, shareholder representatives and ADS holders do not provide their personal data themselves, the Company generally receives this data from the shareholder's custodian bank or from the depository or other intermediaries.

### **3. For what purposes and on what legal basis is data processed?**

Data processing is carried out for the purpose of preparing, organizing and following up on the Annual General Meeting (e.g. registration for the Annual General Meeting, documentation of the right to participate, preparation of the list of participants) and to enable shareholders to exercise their rights; the processing of shareholders' personal data is also carried out for the purpose of maintaining the share register. The legal basis for the processing of personal data in this respect is Art. 6 para. 1 subpara. 1 lit. c) GDPR in conjunction with Art. 52 et seq. SE Regulation, sections 67, 67e, 118 ff., 129 AktG, Art. 15 para. 2 of the Company's Articles of Association.

Insofar as data is processed for the aforementioned purposes that goes beyond the mandatory information according to the aforementioned regulations, the legal basis is Art. 6 para. 1 subpara. 1 lit. f) GDPR. Processing on the basis of Art. 6 para. 1 subpara. 1 lit. f) GDPR is carried out for the purposes and interests described, in particular for the organisation and orderly conduct of the Annual General Meeting and - in connection with the use of the Investor Portal - to provide secure access to the Investor Portal and to be able to operate it securely and without disruption.

In addition, the Company also processes personal data to fulfil other legal obligations, e.g. regulatory requirements and retention obligations under stock corporation, commercial and tax law. The legal basis for data processing in this respect is Art. 6 para. 1 subpara. 1 lit. c) GDPR in conjunction with the statutory provisions.

### **4. Is personal data transferred to a third country?**

In order to achieve the above-mentioned purposes, it may be necessary to transfer personal data outside the European Economic Area (EEA). If we transfer personal data to service providers or group companies outside the EEA, the transfer will only take place if the third country has been confirmed by the EU Commission to have an adequate level of data protection or if other appropriate data protection guarantees (e.g. binding corporate data protection regulations or EU standard contractual clauses) are in place. You can request detailed information at the address given in section 1.

### **5. To which recipients is personal data passed on?**

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

The Company uses external service providers, who are commissioned as processors in accordance with Art. 28 GDPR to maintain the share register (in particular share register service companies) and

to organize the Annual Shareholders' Meeting (e.g. Annual Shareholders' Meeting service providers, lawyers or auditors). The service providers engaged by the Company process the personal data of shareholders, shareholder representatives and ADS holders exclusively in accordance with the instructions of the Company and only to the extent necessary for the performance of the contracted service. All employees of the Company and the employees of the commissioned external service providers who have access to and/or process personal data are obliged to treat this data confidentially.

### **Other recipients:**

In addition, we may be obliged to transfer personal data to other recipients, such as authorities, in order to fulfil legal notification obligations.

In addition, personal data of shareholders or shareholder representatives who attend the Annual General Meeting in person or by proxy can be viewed by other shareholders and shareholder representatives, in particular via the legally required list of participants (section 129 AktG).

If a shareholder requests that items be placed on the agenda (Art. 56 SE Regulation, section 50 para. 2 SE Implementation Act, section 122 para. 2 AktG), the Company will publicize these items in accordance with the provisions of stock corporation law, stating the name of the shareholder, if the relevant requirements are met. The Company will also publish counter motions and election proposals from shareholders on the Internet, stating the name of the shareholder, if the relevant requirements are met in accordance with the provisions of stock corporation law (Sections 126 (1) and 127 AktG). If shareholders or shareholder representatives participate in the Annual General Meeting with speeches, questions, motions, election proposals, written statements or other requests, the Company may make these contributions accessible to other shareholders and shareholder representatives on the Investor Portal, stating the name of the shareholder or shareholder representative. If shareholders or shareholder representatives participate in the Annual General Meeting with speeches, questions, motions or election proposals by means of video communication, this will also be broadcast on the Company's website - also outside of the investor portal.

### **6. How long is data stored?**

The Company deletes the personal data of the data subjects in accordance with the statutory provisions, in particular if the personal data is no longer required for the original purposes of collection or processing, the data is no longer required in connection with any administrative or legal proceedings and there are no statutory retention obligations. The storage period for data collected in connection with Annual General Meetings is generally up to three years. The data stored in the share register is generally retained by the Company for ten years after the shares have been sold.

### **7. What rights are data subjects entitled to under data protection law?**

Under the law, data subjects have the following rights:

- **Right of access (Art. 15 GDPR):**

In accordance with Art. 15 GDPR, data subjects have the right to request information about whether and which personal data about you is being processed

- **Right to rectification (Art. 16 GDPR):**

If data is processed incorrectly or incompletely, data subjects may request the correction of incorrect personal data or the completion of incomplete personal data in accordance with Art. 16 GDPR.

- **Right to erasure (Art. 17 GDPR):**

In certain cases, data subjects have the right to request the erasure of personal data if the requirements of Art. 17 GDPR are met.

- **Right to restriction of processing (Art. 18 GDPR):**

Data subjects can request the restriction of the processing of personal data under the conditions set out in Art. 18 GDPR.

- **Right to data portability (Art. 20 GDPR):**

Data subjects have the right, under the conditions laid down in Art. 20 GDPR, to receive personal data in a format that meets legal requirements and to transmit those data to another controller without hindrance.

- **Automated decision-making (Art. 22 GDPR):**

You also have the right not to be subject to automated decision-making.

- **Right of appeal (Art. 77 DS-GVO):**

Data subjects have a right of appeal to the supervisory authorities pursuant to Art. 77 DS-GVO. The data protection authority responsible for the Company is:

Der Landesbeauftragte für den Datenschutz und die Informationsfreiheit Rheinland-Pfalz (*The State Commissioner for Data Protection and Freedom of Information Rhineland-Palatinate*)

P.O. Box 30 40, 55020 Mainz

Hintere Bleiche 34

55116 Mainz

Germany

Telephone: +49613189200

Fax: +4961318920299

Email: [poststelle@datenschutz.rlp.de](mailto:poststelle@datenschutz.rlp.de)

Regardless of this right of appeal, data subjects may also contact the Company's data protection officer, who can be contacted at the address given in Section 1.

**Right to object (Art. 21 GDPR):**

If the Company processes data to protect the legitimate interests of the Company or a third party, the data subject can object to this processing for reasons arising from their particular situation. In

this case, the personal data of the data subject will no longer be processed unless the Company can prove that there are compelling legitimate grounds for the processing which override the interests, rights and freedoms of the data subject or for the establishment, exercise or defense of legal claims.