

## IMMOFINANZ AG

### Invitation to the 28<sup>th</sup> Ordinary Shareholders' Meeting

We hereby invite our shareholders to the 28<sup>th</sup> ordinary shareholders' meeting of IMMOFINANZ AG with its registered office in Vienna, FN 114425y, to take place on 19 October 2021 at 11:00 a.m. CEST (Vienna local time) at Wienerbergstraße 11, AT-1100 Vienna, Austria. If the ordinary shareholders' meeting is not completed on 19 October 2021 by 24:00 CEST (Vienna local time), the ordinary shareholders' meeting will be continued on the following day, 20 October 2021 at 0:00 CEST (Vienna local time).

For the protection of the shareholders and other participants, the Executive Board has decided to hold the shareholders' meeting in the form of a virtual shareholders' meeting on the basis of section 1 para 2 Corporate COVID-19 Act, Federal Law Gazette I No. 16/2020 as amended by Federal Law Gazette I No. 156/2020 ("COVID-19-GesG") and the Corporate COVID-19 Regulation, Federal Law Gazette II No. 140/2020 as amended by Federal Law Gazette II No. 616/2020 ("COVID-19-GesV"). **This means that the shareholders will not be able to participate physically in the shareholders' meeting of IMMOFINANZ AG on 19 October 2021 for reasons of health protection.** The Executive Board asks the shareholders for their understanding that they will not be able to attend the shareholders' meeting in person.

The organizational and technical requirements for participation in the virtual shareholders' meeting pursuant to section 2 para 4 COVID-19-GesV are explained in point C of this invitation.

#### **A. Agenda (section 106 item 3 Austrian Stock Corporation Act)**

1. Presentation of the adopted annual financial statements including the management report, the consolidated corporate governance report, the consolidated financial statements including the group management report, the proposal for the appropriation of the balance sheet profit and the report of the Supervisory Board on the business year 2020.
2. Resolution on the appropriation of the balance sheet profit stated in the financial statements for the business year 2020.
3. Resolution on the approval of the actions of the members of the Executive Board for the business year 2020.
4. Resolution on the approval of the actions of the members of the Supervisory Board for the business year 2020.
5. Resolution on the remuneration of the Supervisory Board members.
6. Election of the auditor for the individual and consolidated financial statements for the business year 2021.
7. Resolution on the remuneration report for the remuneration of the members of the Executive Board and the Supervisory Board for the business year 2020.
8. Elections to the Supervisory Board.
9. Resolution on the authorisation of the Executive Board to issue convertible bonds and regarding conditional capital.

Authorisation of the Executive Board to issue convertible bonds and exclusion of the shareholders' subscription rights, together with the revocation of the existing

authorisation to issue convertible bonds in the unused amount as well as conditional increase of the share capital (section 159 para 2 item 1 Austrian Stock Corporation Act) and corresponding amendments to the Articles of Association in Article 4 (Registered Capital and Shares).

## **B. Provision of information (section 106 item 4 Austrian Stock Corporation Act)**

Documents pursuant to section 108 para 3 and 4 Austrian Stock Corporation Act will be published on the company's website ([www.immofinanz.com](http://www.immofinanz.com)) from the 21st day prior to the date of the ordinary shareholders' meeting, therefore from 28 September 2021 at the latest:

- Notice convening the shareholders' meeting
- If necessary, modifications and/or additions on the organizational and technical requirements for participation in the virtual shareholders' meeting (section 3 para 3 COVID-19-GesV)
- Annual financial statements and management report for the 2020 business year
- Consolidated annual financial statements and group management report for the 2020 business year
- Consolidated corporate governance report for the 2020 business year
- Proposal for appropriation of the balance sheet profit
- Report by the Supervisory Board to the shareholders' meeting according to section 96 Austrian Stock Corporation Act
- Remuneration report for the Executive Board and the Supervisory Board
- Report by the Executive Board justifying the exclusion of subscription rights concerning agenda item 9 (authorisation of the Executive Board to issue convertible bonds)
- Motions for resolutions and nominations on the agenda items including declarations of Supervisory Board candidates pursuant to section 87 para 2 of the Austrian Stock Corporation Act and curricula vitae as well as additional declarations and documents, if any
- Question form
- Forms of granting power of attorney (proxy) (granting including instructions and revocation) to the four independent special proxies named by the company

## **C. Information on the virtual shareholders' meeting and organizational and technical requirements for participation**

The organisational and technical requirements for participation in the virtual shareholders' meeting pursuant to section 2 para 4 COVID-19-GesV are hereby notified. In accordance with section 3 para 3 COVID 19-GesV, any modifications and/or additions to these organisational and technical requirements will be made available on the company's website [www.immofinanz.com](http://www.immofinanz.com) no later than 28 September 2021.

### **1. Webcast of the shareholders' meeting**

In accordance with section 3 para 4 COVID 19-GesV in connection with section 102 para 4 of the Austrian Stock Corporation Act the shareholders' meeting will be broadcast in full in picture and sound in real time on the internet. All shareholders may follow the shareholders' meeting on 19 October 2021 from approx. 11:00 a.m. online at [www.immofinanz.com](http://www.immofinanz.com). This

enables every shareholder to follow the shareholders' meeting in real time via this optical and acoustic one-way connection.

Shareholders require high-performance internet access and an internet-compatible device for the audio and video transmission via an up-to-date internet browser. No registration or login is required to follow the shareholders' meeting.

Please note that this live transmission as a virtual shareholders' meeting does not provide for remote participation (section 102 para 3 item 2 of the Austrian Stock Corporation Act) and remote voting (section 102 para 3 item 3 and section 126 of the Austrian Stock Corporation Act) and that the transmission on the internet is not a two-way connection. It is also pointed out that the company is only responsible for the use of technical means of communication to the extent that these are attributable to its sphere of influence.

## 2. Representation of shareholders by special proxies

It will not be possible for shareholders to be physically present at the virtual shareholders' meeting. In accordance with section 3 para 4 COVID-19-GesV, shareholders can cast votes, submit motions for resolutions or raise an objection in the virtual shareholders' meeting only through one of the four independent special proxies named below, the costs of which will be carried by the company:

- (i) **Attorney Marie-Agnes Arlt, LL.M. (NYU)**  
1010 Vienna, Ebendorferstraße 6/10  
Phone: + 43 1 308 25 80  
E-mail: [arlt.immofinanz@hauptversammlung.at](mailto:arlt.immofinanz@hauptversammlung.at)
- (ii) **Attorney Dr. Paul Fussenegger**  
1010 Vienna, Rotenturmstraße 12/6  
Phone: +43 1 235 10 01  
E-mail: [fussenegger.immofinanz@hauptversammlung.at](mailto:fussenegger.immofinanz@hauptversammlung.at)
- (iii) **Attorney Mag. Ewald Oberhammer**  
c/o Oberhammer Rechtsanwälte GmbH  
1010 Vienna, Karlsplatz 3/1  
Phone: +43 1 503 300 0  
E-mail: [oberhammer.immofinanz@hauptversammlung.at](mailto:oberhammer.immofinanz@hauptversammlung.at)
- (iv) **Dr. Verena Brauner**  
c/o Interessenverband für Anleger, IVA  
1130 Vienna, Feldmühlgasse 22  
Phone: +43 1 876 33 43 - 30  
E-mail: [brauner.immofinanz@hauptversammlung.at](mailto:brauner.immofinanz@hauptversammlung.at)

**To cast votes, submit motions for resolutions or raise an objection in the virtual shareholders' meeting, shareholders must choose and authorise one of the above-mentioned special proxies.** The special proxies will only exercise the voting right, the right to submit motions for resolutions and the right to raise objections in accordance with the shareholders' instructions.

It is recommended to contact the special proxy of your choice in good time if you intend to instruct the special proxy to propose motions for resolutions and to raise an objection to one or more items on the agenda.

A **proxy authorisation form** for the four special proxies, as well as a form for the revocation of proxy authorisation, is available on the company's website [www.immofinanz.com](http://www.immofinanz.com). In the interest of a smooth processing, we ask to use the available

forms. Details on the proxy authorisation, in particular about the text form and the content of the proxy authorisation, are contained in the proxy authorisation form that is available to the shareholders.

To facilitate processing, please send your completed proxy authorisation form (in text form) in such a timely manner that it is received no later than **18 October 2021, 4:00 p.m. CEST (Vienna local time)**, using one of the communication channels stated below:

Authorisation forms to the special proxies may be sent by **e-mail** to the address of the person you have chosen, with the proxy authorisation attached to the e-mail in text form, e.g. as a PDF file. This way the special proxy of your choice will have direct access to the authorisation and your instructions.

The following communication channels and addresses are also available for the transmission of your proxy authorisation form:

- via mail or courier service at the address HV-Veranstaltungsservice GmbH, Köppel 60, AT-8242 St. Lorenzen am Wechsel;
- per facsimile under the fax number + 43 (0) 1 8900-50089;
- by credit institutions according to section 114 para 1 Austrian Stock Corporation Act per SWIFT to the address GIBAATWGGMS, Message Type MT598 or MT599 (specification of the ISIN AT0000A21KS2 is necessary).

**Please note that it is not possible to present a proxy authorisation in person on the day of the shareholders' meeting.**

Shareholders have the option to revoke their proxy authorisation. The above provisions for proxy authorisation apply mutatis mutandis to its revocation. The revocation does not take effect until it has been received by the company.

Please note that in addition to a proxy authorisation also a deposit confirmation in accordance with section 10a Austrian Stock Corporation Act is necessary for participation in the virtual shareholders' meeting, which must be received by the company no later than 14 October 2021 (see point E).

### **3. Shareholders' right to information**

Shareholders may exercise their right to information pursuant to section 118 Austrian Stock Corporation Act in the virtual shareholders' meeting as follows:

The shareholders are invited to send their questions in advance by e-mail to **fragen.immofinanz@hauptversammlung.at**, if possible in such a way that they are **received by the company** on the **second business day prior to the shareholders' meeting**, hence on **Friday, 15 October 2021**.

This will enable the preparation of answers in advance and a swift treatment during the shareholders' meeting.

For your questions, please use the **question form** provided on the company's website [www.immofinanz.com](http://www.immofinanz.com) to ensure the most efficient processing possible.

Questions may also be sent by simple e-mail. The e-mail must end with your name (reproduction of signature in accordance with section 13 para 2 Austrian Stock Corporation Act).

To verify your identity as a shareholder for the transmission of questions, please use the e-mail address specified in the space provided on the authorisation form for your special proxy. By signing the proxy authorisation form, you confirm that only you have access to this e-mail address.

If no shareholder e-mail address is indicated on the proxy authorisation form, or if questions are sent from another e-mail address, the identity of the person making the declaration must be verified with the shareholder's name/company name and date of birth/company register number as well as the securities account number, the credit institution and the number of shares.

If any doubts arise regarding the identity of a participant during the conduct of the shareholders' meeting, the company reserves the right to verify the identity in an appropriate manner.

If a proxy exercises the right to information, proof of proxy authorisation must also be provided in text form. **Please note that the special proxies cannot be authorised to exercise the right to information.**

#### **4. Rights during the shareholders' meeting**

A shareholder may also send questions by e-mail to [fragen.immofinanz@hauptversammlung.at](mailto:fragen.immofinanz@hauptversammlung.at) during the virtual shareholders' meeting (see above on the shareholders' right to information).

The questions received by the company from shareholders before or during the shareholders' meeting are read out in the shareholders' meeting in accordance with section 118 Austrian Stock Corporation Act by the chairman or a person designated by him.

The chairman of the shareholders' meeting will structure the course of the meeting, in particular announcing during the meeting a certain point in time until which questions may be asked.

Likewise, the shareholder may, up to the times specified by the chairman in the shareholders' meeting, give (or amend) instructions by e-mail to the authorised special proxy, in particular instructions on casting votes, submitting motions for resolutions or raising objections. Please note that the special proxy cannot exercise the right to ask questions on behalf of the shareholder.

For any instructions, please send a simple e-mail to the e-mail address of your special proxy listed under item 2 above. The e-mail must end with your name (reproduction of signature in accordance with section 13 para 2 Austrian Stock Corporation Act). Please use the e-mail address indicated in the proxy authorisation form to verify your identity and to ensure that it matches the proxy authorisation issued, or name the person making the declaration by stating the name/company and date of birth/company register number as well as the securities account number, the credit institution and the number of shares of the shareholder if you use another e-mail address (see above for the relevant requirements when exercising the shareholders' right to information).

**Please note that during the shareholders' meeting you can only communicate with your special proxy by e-mail and not by phone or message services.**

#### **D. Information regarding shareholders' rights (section 106 item 5 Austrian Stock Corporation Act)**

##### **1. Request of agenda items by shareholders (section 109 Austrian Stock Corporation Act)**

Shareholders who have been holding, individually or cumulatively, five percent of the ordinary share capital of the company for a period of at least three months prior to the filing of the request may demand in writing that items shall be put on the agenda of the shareholders' meeting and shall be published. Each such agenda item has to be accompanied by a motion and a rationale.

The requesting shareholder has to confirm its shareholding. In case of bearer shares held on securities accounts a depository confirmation in accordance with section 10a Austrian Stock Corporation Act shall be sufficient. Such depository confirmation shall be issued by a credit institution with its registered office in a member state of the European Economic Area or in a full member state of the OECD. The depository confirmation shall not be dated more than seven days prior to the date of submission and shall confirm that the shareholder has been holding the shares throughout a period of at least three months prior to the filing of the request. In case of several shareholders who only cumulatively reach the required shareholding of five percent of the ordinary share capital, depository confirmations for all shareholders must refer to the same point in time (date, time).

Regarding further required content of the depository confirmation it is referred to the information for participating in the shareholders' meeting (point E).

The written request for additional agenda items together with the confirmation of shareholding described above must be received by the company on the 21st day prior to the date of the ordinary shareholders' meeting, hence on 28 September 2021 at the latest at its business address AT-1100 Vienna, Wienerbergstraße 9.

## **2. Motions by shareholders (section 110 Austrian Stock Corporation Act)**

Shareholders whose shareholdings, individually or cumulatively, equal or exceed one percent of the ordinary share capital of the company may file for each item of the agenda a motion in text form (in writing, no signature required) with the company and demand that these motions together with the names of the filing shareholders, their rationales which are to be attached and, if applicable, comments by the Executive or the Supervisory Board thereto shall be made available on the website of the company ([www.immofinanz.com](http://www.immofinanz.com)).

In case of a motion for election of a supervisory board member the declaration by the proposed candidate in accordance with section 87 para 2 Austrian Stock Corporation Act substitutes the rationale.

It is pointed out that the quota regulation pursuant to section 86 para 7 Austrian Stock Corporation Act applies to new elections to the company's supervisory board if the elections result in six capital representatives as members of the Supervisory Board. Pursuant to section 86 para 9 Austrian Stock Corporation Act, the minimum quota must be fulfilled by the supervisory board as a whole if neither the majority of the capital representatives appointed in accordance with the Articles of Association nor the majority of the employee representatives delegated in accordance with section 110 Labor Constitution Act (*Arbeitsverfassungsgesetz*) object to the overall compliance towards the chairman of the supervisory board at least six weeks prior to election or delegation. The capital representatives and the employee representatives have agreed to waive the right of objection pursuant to section 86 para 9 Austrian Stock Corporation Act. The waiver of the right to object was notified to the chair of the supervisory board (section 86 para 9 last sentence Austrian Stock Corporation Act). This means that overall compliance is required pursuant to section 86 para 7 Austrian Stock Corporation Act. With six capital representatives, at least two seats must be occupied by women and at least two seats must be occupied by men to meet the quota regulation according to section 86 para 7 Austrian Stock Corporation Act. As at the date of the notice convening the shareholders' meeting, one women and three men are elected to the supervisory board as capital representatives, with the terms of office of two men expiring at the end of the shareholders' meeting. When electing four further members to the supervisory board, at least one woman must be elected to one of the positions and at least one man must be elected to one of the positions in order to fulfil the quota regulation according to section 86 para 7 Austrian Stock Corporation Act. If the composition of the supervisory board changes prior to the shareholders' meeting, the company will inform about this on the company's website

([www.immofinanz.com](http://www.immofinanz.com)) corresponding to section 106 item 5 Austrian Stock Corporation Act.

The requesting shareholder has to confirm its shareholding. In case of bearer shares held on securities accounts a depository confirmation in accordance with section 10a Austrian Stock Corporation Act shall be sufficient. Such depository confirmation shall be issued by a credit institution with its registered office in a member state of the European Economic Area or in a full member state of the OECD. The depository confirmation shall not be dated more than seven days prior to the date of submission. In case of several shareholders who only cumulatively reach the required shareholding of one percent of the ordinary share capital, depository confirmations for all shareholders must refer to the same point in time (date, time).

Regarding the further required content of the depository confirmation it is referred to the information for participating in the shareholders' meeting (point E).

The motion for resolution as well as motions for nominations of Supervisory Board members together with the declarations pursuant to section 87 para 2 Austrian Stock Corporation Act by each nominated person must be received together with the confirmation of shareholding described above on the seventh business day prior to the date of the ordinary shareholders' meeting, hence on 08 October 2021 at the latest,

- via e-mail to the address: [hauptversammlung@immofinanz.com](mailto:hauptversammlung@immofinanz.com), or
- via mail, courier service or personally delivered at its business address at AT-1100 Vienna, Wienerbergstraße 9, or
- via facsimile under the fax number +43 (0) 1 88090-8915.

Motions compliant with the law will be published on the website of IMMOFINANZ AG no later than two business days after receipt (section 110 Austrian Stock Corporation Act).

### **3. Right to information (section 118 Austrian Stock Corporation Act)**

Each shareholder shall, upon request, be informed at the shareholders' meeting regarding the company's affairs as far as necessary for a proper judgement in respect of items of the agenda. The information right also relates to the company's legal and commercial relationships to its affiliated companies.

Providing the information may be rejected as far as

1. providing the information could, subject to reasonable business judgement, cause significant damage to the company or to an affiliate company, or
2. providing the information would constitute an offence.

**The right to information may be exercised during the virtual shareholders' meeting in accordance with the modalities set out under point C.3 by the shareholders themselves.**

### **4. Motions by shareholders during the shareholders' meeting (section 119 Austrian Stock Corporation Act)**

Every shareholder – regardless of the shareholding amount – has the right to bring forward motions in respect to each item on the agenda at the shareholders' meeting. In the virtual shareholders' meeting on 19 October 2021, shareholders can only submit motions through one of the special proxies (see the explanations under point C).

If several motions are made to the same agenda item, section 119 para 3 Austrian Stock Corporation Act allows the chairman to determine the order in which the motions are voted on.

## **E. Record date and prerequisites for participation in the shareholders' meeting (section 106 item 6 and item 7 Austrian Stock Corporation Act)**

For the right to participate in the shareholders' meeting and to exercise shareholder rights shares of the company must be held at the **end of the tenth day prior to the shareholders' meeting (record date)**, this is **09 October 2021 (Saturday), 12:00 p.m. (midnight) CEST (Vienna local time)**.

Only such persons are entitled to participate in the shareholders' meeting who are shareholders at the end of the record date and confirm this vis-à-vis the company.

**Please note that it is not possible for shareholders to come to the location of the shareholders' meeting and physically attend the meeting themselves (virtual shareholders' meeting).**

In the case of bearer shares held on securities accounts a depository confirmation in accordance with section 10a Austrian Stock Corporation Act shall be sufficient for the confirmation of the shareholding. Such depository confirmation shall be issued by a credit institution with its registered office in a member state of the European Economic Area or in a full member state of the OECD.

The depository confirmation must contain the following details (section 10a para 2 Austrian Stock Corporation Act):

- Details of the issuer: name (company name), address or a standard code used in communications between credit institutions
- Details of the shareholder: name/company, address, in case of natural persons the date of birth and in case of legal persons the register and registration number (if applicable)
- Details of the shares: number of the shares held by the shareholder, the class of shares or the international securities identification number
- Securities account number or other identification
- Declaration that the depository confirmation refers to the balance of the securities account as of 09 October 2021, 24:00 (midnight) CEST (Vienna local time).

The depository confirmation may be issued in German or English.

The depository confirmation must be received on the third business day prior to the shareholders' meeting, hence on 14 October 2021, 24:00 (midnight) CEST (Vienna local time) at the latest

- as document signed by officers representing the issuing credit institution via mail or courier service at the address HV-Veranstaltungsservice GmbH, Köppel 60, AT-8242 St. Lorenzen am Wechsel, or
- per facsimile under the fax number + 43 (0) 1 8900-50089, or
- per e-mail to the address: anmeldung.immofinanz@hauptversammlung.at (depository confirmation as pdf-document attached to the e-mail), or
- per SWIFT to the address GIBAATWGGMS, Message Type MT598 or MT599 (specification of the ISIN AT0000A21KS2 is necessary).

Credit institutions are kindly asked to send depository confirmations collectively in the form of a list.

## **F. Appointment of representatives (proxy holders)**

Each shareholder who is entitled to participate in the virtual shareholders' meeting and who has proven this in accordance with the provisions stated in point E of this invitation, has the right to grant power of attorney (proxy) for the shareholders' meeting (section 113 Austrian Stock Corporation Act).

For the virtual shareholders' meeting on 19 October 2021 **exclusively one of the special proxies named under point C.2 above can be authorised via the communication channels mentioned there** to cast votes, submit motions for resolutions or raise an objection during the virtual shareholders' meeting.

In accordance with section 3 para 4 COVID-19-GesV it is not possible to authorise persons other than the four special proxies to exercise these rights in the virtual shareholders' meeting. It is permissible, however, to authorise other persons to exercise other rights, in particular the right to information.

If shareholders authorise persons to represent them other than one of the four special proxies named by the company, such as the custodian bank, an effective proxy chain (sub-proxy) must exist to ensure that one of the four special proxies is authorised to exercise the right to vote, to submit motions for resolutions and to make an objection in the virtual shareholders' meeting itself.

The power of attorney (proxy) must be submitted in text form (section 13 para 2 Austrian Stock Corporation Act). If a shareholder has granted power of attorney (proxy) to his/her custodian bank (section 10a Austrian Stock Corporation Act), it is sufficient if, in addition to the deposit confirmation, the bank declares that it has been authorised as a proxy representative in the manner intended for its transmission to the company.

Shareholders have the option to revoke their power of attorney (proxy). The rules for proxy authorisation apply mutatis mutandis to its revocation. The revocation only becomes effective upon receipt by the company.

The company has provided a specific form for granting power of attorney (proxy) to the special proxies on its website ([www.immofinanz.com](http://www.immofinanz.com)). Shareholders are kindly asked to use this form.

## **G. Data Protection Information**

During the preparation and conduct of the shareholders' meeting, the company processes personal data of the shareholders and their proxy holders (in particular those pursuant to section 10a para 2 Austrian Stock Corporation Act, i.e. name, address, date of birth, number of the securities account, number of shares of the shareholder and, if applicable, designation of the class or ISIN/WKN, the proxy card number and the name and date of birth of any proxy nominated by the shareholder) on the basis of the applicable data protection provisions, in particular the European Data Protection Basic Regulation (GDPR) and the Austrian Data Protection Act (DSG), in order to enable shareholders to exercise their rights at the shareholders' meeting. If shareholders and/or their proxy holders do not provide the data or do not provide it to the required extent, participation in the shareholders' meeting is not possible.

Personal data is processed for the purposes of verifying the eligibility of shareholders and/or their proxy holders to participate and exercising shareholders' rights, as well as for handling the shareholders' meeting, including the preparation of the registration and attendance lists and the minutes of the shareholders' meeting, and is absolutely necessary for these purposes. The provisions of the Austrian Stock Corporation Act, in particular sections 111 - 114, 117 and 120 Austrian Stock Corporation Act, which represent legal obligations of the company within the meaning of Art 6 para 1 lit c GDPR, provide the legal

basis under data protection law for the processing of the personal data of shareholders and/or their proxy holders. For processing IMMOFINANZ AG is person responsible according to Art 4 lit 7 GDPR.

For organisation of the shareholders' meeting IMMOFINANZ AG makes use of external service providers (in particular notaries, lawyers, credit institutions and IT- and back-office service providers). Service providers and processors of IMMOFINANZ AG receive only such personal data from IMMOFINANZ AG as are necessary for the execution of the commissioned service and process these data exclusively according to instructions of IMMOFINANZ AG. To the extent required by law, IMMOFINANZ AG has entered into a data protection agreement with the service providers.

If a shareholder through authorisation of one of the special proxies participates in the virtual shareholders' meeting, all represented shareholders or their representatives, the members of the Executive Board and Supervisory Board, the notary and all other persons with a legal right to participate may inspect the legally prescribed list of participants (section 117 Austrian Stock Corporation Act) and thereby also inspect the personal data specified therein (including name, place of residence, shareholding). Please note that shareholders can only inspect the list of participants in the virtual shareholders' meeting through the authorized special proxy. In compliance with the statutory obligation, IMMOFINANZ AG also transmits personal data of shareholders and their proxy holders to public authorities: The shareholder's personal data, which must be included in the list of participants pursuant to section 117 Austrian Stock Corporation Act, will be transmitted to the competent commercial register court pursuant to section 120 para 4 Austrian Stock Corporation Act. The list of participants shall be attached to the minutes of the shareholders' meeting, which shall be recorded in the commercial register in the publicly accessible collection of documents. Data may also be transmitted to the Vienna Stock Exchange, Warsaw Stock Exchange, the Austrian Financial Market Authority, the Takeover Commission or the Austrian Kontrollbank on a case-by-case basis. In addition, personal data will not be passed on to third parties.

The personal data of shareholders and/or their proxy holders will be stored until the end of the seven-year statutory retention period. In addition, the personal data may be stored for a maximum of another three years if they are of significance for pending court or official proceedings, in which IMMOFINANZ AG is party (section 212 Austrian Commercial Code). Afterwards the data of the participants will be deleted.

Under the applicable legal requirements, every shareholder and/or proxy holder has a right at any time to information, correction, deletion or restriction of the processing of his personal data, the right to object to the processing and the right to data transfer.

Shareholders and/or proxy holders may use these rights against IMMOFINANZ AG gratuitously via retrievable webformular on <https://immofinanz.com/de/dsgvo> or via the following contact details:

IMMOFINANZ AG  
Attn: Data Protection Coordinator  
Wienerbergstraße 9  
1100 Vienna  
Austria

In addition shareholders have a right of appeal to the data protection authority ([www.dsb.gv.at](http://www.dsb.gv.at)) according to Art 77 GDPR.

## **H. Total number of shares and voting rights (section 106 item 9 Austrian Stock Corporation Act)**

As at the date of the notice convening the shareholders' meeting the company has issued 123,293,795 non-par value bearer shares whereby each share grants one vote. IMMOFINANZ AG holds 6,998,228 treasury shares. Voting rights granted by these shares cannot be exercised according to Art 65 para 5 Austrian Stock Corporation Act. Hence 116,295,567 voting rights can be exercised. If the number of treasury shares and the number of granted voting rights changes until the day of the shareholders meeting the company will provide respective information according to Art 120 para 2 lit 1 Austrian Stock Exchange Act.

Vienna, 21 September 2021

### **The Executive Board of IMMOFINANZ AG**

International Securities Identification Number (ISIN)

AT0000A21KS2