

# BEFESA

Befesa S.A.  
*société anonyme*  
68-70, Boulevard de la Pétrusse, L-2320 Luxembourg  
Grand Duchy of Luxembourg  
R.C.S. Luxembourg B 177697  
(the “Company”)

## Annual General Meeting of the Company

to be held at 12, Boulevard Royal (Hôtel Le Royal), L-2449 Luxembourg, Grand Duchy of Luxembourg, on Thursday, 15 June 2023 at 14:00 CEST

### Data Protection Notice

In accordance with the provisions of the EU Regulation n°2016/679 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 (the “GDPR”) and any applicable national data protection laws (including but not limited to the Luxembourg law of 1<sup>st</sup> August 2018 organizing the National Commission for data protection and the general system on data protection, as amended from time to time) (collectively hereinafter the “Data Protection Laws”), the Company, acting as data controller, collects, stores and processes by electronic or other means the data the shareholders supply in the context of their participation in the Annual General Meeting of the Company, for the purposes of the organization and registration for the Annual General Meeting, and the vote on the items on the agenda of the Annual General Meeting, as well as any other subsequent actions to be taken in that respect by virtue of applicable law.

### Preamble/Summary

1. What personal data does the Company collect and what is it used for?
2. With whom will Personal Data be shared?
3. How long will Personal Data be retained?
4. The data Subject’s rights in relation to Personal Data
5. Changes to this Data Protection Notice

#### **1. What personal data does the Company collect and what is it used for?**

The data so processed includes the shareholder’s name, surname and address, and the number of shares held by the shareholder, and in case of legal entities, the corporate denomination and form, registered office and registration number with the relevant companies’ register of the shareholder and the name, title and signature of the shareholder’s representative respectively (the “Personal Data”).

The Personal Data (as described below) are processed for the following purposes:

Purposes	Lawful bases for processing
Organizing its Annual General Meeting, gathering registrations and processing votes on the resolutions	Compliance with applicable legal obligations
The provision of proof, in the event of a dispute	Legitimate interests of the Company

Exercising the business of the Company in accordance with reasonable market standards	Legitimate interests of the Company
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Shareholders may, at their discretion, refuse to communicate the Personal Data to the Company. In this event, the Company may however reject their participation in and vote during the Annual General Meeting of the Company if the relevant Personal Data is necessary to enable such participation and vote.

Shareholders who are legal persons undertake and guarantee to process Personal Data and to supply such Personal Data to the Company in compliance with the Data Protection Laws, including, where appropriate, informing the relevant data subjects of the contents of the present data protection notice, in accordance with Articles 12, 13 and/or 14 of the GDPR.

## **2. With whom will Personal Data be shared?**

The Personal Data may also be processed by the Company's data recipients (the "**Recipients**") which, in the context of the above-mentioned purposes, refer to services providers assisting the Company in the context of the AGM or any other third party supporting the activities of the Company. The Recipients may, under their own responsibility, disclose the Personal Data to their agents and/or delegates (the "**Sub-Recipients**"), which shall process the Personal Data for the sole purposes of assisting the Recipients in providing their services to the Company and/or assisting the Recipients in fulfilling their own legal obligations.

The Recipients and Sub-Recipients may, as the case may be, process the Personal Data as data processors (when processing the Personal Data on behalf and upon instructions of the Company and/or the Recipients), or as distinct data controllers (when processing the Personal Data for their own purposes, namely fulfilling their own legal obligations).

The Company does not transfer personal data outside the European Economic Area.

## **3. The Data Subject's rights in relation to Personal Data**

In accordance with the conditions laid out by the Data Protection Laws, the shareholders are hereby informed of their right to:

- access their Personal Data;
- correct their Personal Data where it is inaccurate or incomplete;
- object to the processing of their Personal Data;
- restrict the use of their Personal Data;
- ask for erasure of their Personal Data;
- ask for Personal Data portability.

Shareholders may exercise the above rights by writing to the Company at [dataprotection@befesa.com](mailto:dataprotection@befesa.com).

Shareholders are hereby also informed of the existence of the right to lodge a complaint with the Commission Nationale pour la Protection des Données at the following address: 15, Boulevard du Jazz, L-4370 Belvaux, Grand Duchy of Luxembourg; or with any competent data protection supervisory authority of their EU Member State of residence.

## **4. How long will Personal Data be retained?**

The Company will retain the Personal Data for the duration of the Agreement and thereafter for a period of ten (10) years, unless longer or shorter statutory limitation periods apply. In some circumstances, the Personal Data may be anonymised so that it can no longer be associated with the Data Subjects, in which case it is no longer personal data and can be kept for an unlimited

period of time. Once the Company no longer requires the Personal Data for the purposes for which it was collected, it will securely destroy the Personal Data in accordance with applicable laws and regulations.

## **5. Changes to this Data Protection Notice**

The Company reserves the right to update this Data Protection Notice at any time and will make an updated copy of such Data Protection Notice available directly to the data subject, or in any case to all shareholders that have provided the Company with Personal Data. The shareholders will be notified when any substantial updates are made to the present Data Protection Notice.

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