

DATA PROTECTION NOTICE FOR SHAREHOLDERS

On May 25, 2018 Regulation (EU) 2916/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation, “GDPR”) and new German provisions concerning data protection law came into force. The GDPR contains i.a. informational duties in relation to collecting personal data (transparency of data processing). We take data protection for our shareholders very seriously. With the subsequent notice we aim to inform you about the processing of your personal data by Instone Real Estate Group AG (the “Company”) and the rights you are vested with under data protection law.

1. Who is responsible for the processing?

Instone Real Estate Group AG
Grugaplatz 2–4
45131 Essen
phone: +49 (0) 201 45355-0
E-Mail: datenschutzbeauftragter@instone.de

Shall you have questions about the information provided in this notice, you may contact our Group Data Protection Officer. She is available by phone, e-mail or by post under the postal address:

TÜV Rheinland i-sec GmbH
Silvie van Etten
Am Grauen Stein
51105 Cologne, Germany
phone: +49 221 56793-505
E-Mail: datenschutzbeauftragter@instone.de

2. Whose data do we process in the data processing operations described here?

In the data processing operations described in this information, we process personal data relating to current and former shareholders of the company and their legal and contract representatives.

3. For what purposes and on which legal grounds is your data being processed? By whom is the Company receiving what sort of data?

Purposes of processing: The Company is using your personal data in accordance with the purposes as envisaged by the German Stock Corporation Act. In particular, these purposes include communication with the shareholders as well as various processes regarding the administration of the shareholders’ meeting (such as the registration for the shareholders’ meeting, the documentation of participation rights and the creation of the list of participants).

Furthermore, we also process your personal data in order to fulfill further legal obligations, e.g. supervisory requirements as well as retention obligations under stock corporation, commercial and tax law.

Further we process your personal data if it’s necessary to meet legal obligations in countries outside the EU/ the EEA that we are subject to. A legitimate interest of the Company exists for example, if we have to exempt individual shareholders or a group of shareholders from information regarding preemptive rights offering on grounds of their nationality or domicile during a capital increase in order not to violate the legal requirements of certain countries.

In addition, we may possibly use your data for purposes that are compatible with these purposes (in particular with regards to creating statistics, e.g. for depicting the development of shareholders, number of transactions or for overviews about the largest shareholders).

In certain cases, the Company may also process your data if and to the extent necessary to exercise and defend our rights, e.g. to defend against shareholder actions and claims.

Legal basis: The German Stock Corporation Act in conjunction with article 6 para. 1 c) or rather article 6 para 1 lit. f) GDPR serves as the legal basis for the Company processing your personal data. The realization of the aforementioned purposes represents a legitimate interest in the processing of your personal data pursuant to article 6 para. 1 lit. f) GDPR. As explicitly laid down in the GDPR, the processing of personal data is also justified on grounds of special legal obligations (meaning outside the scope of the GDPR itself).

Process to safeguard the legitimate interests of the Company: In certain cases, the Company may also process your data in order to safeguard the legitimate interests of the Company or of those of a third party pursuant to article 6 para. 1 f) GDPR.

Categories of processed data: In connection with the shareholders' meeting, the company processes personal data (in particular name, date of birth, address and other contact details of the shareholder, number of shares, type of ownership of the share, access data for the access-protected online service for the General Shareholder's Meeting, if applicable name and address of the shareholder representative authorized by the respective shareholder). The Company hereby processes data, provided by the shareholders when registering for the Annual Shareholders' Meeting or transmitted by the custodian banks to the Company on behalf of the shareholders for this purpose.

Should we wish to process your personal data for a purpose that has not been named before, we will inform you in accordance with the governing legal provisions.

4. To which categories of recipients may we disclose your data?

Third-party service providers: We are employing third-party service providers (e.g. IT service providers, service providers for the management of shareholders' meetings, service providers for printing and sending the shareholders' correspondence as well as legal consultants) for preparing and holding the shareholders' meetings.

Other shareholders and participants at the shareholders' meeting: Should you participate at the shareholders' meeting, we are obligated to include you as a participant stating your name and residence as well as the shares held in the list of participants pursuant to Sec. 129 para. 1 sentence 2 AktG. Such information can be viewed by other shareholders and participants to the shareholders' meeting for the duration of the shareholders' meeting and in particular by other shareholders for up to two years after the shareholders' meeting (Sec. 129 para. 4 AktG).

Moreover, personal data is being publicly disclosed under certain circumstances in connection with the disclosure of shareholders' requests regarding items on the agenda of the shareholders' meeting and the shareholders' countermotions as well as nominations.

Publication of certain information: Should a shareholder request that specific items be added to the agenda (Sec. 122 para. 2 AktG), the Company will publish said items given the conditions as laid down in the German Stock Corporation Act stating the name of the respective shareholder. The Company will likewise publish countermotions and nominations of shareholders on the internet given the conditions pursuant to AktG stating the name of the respective shareholder (Sec. 126 para. 1, 127 AktG).

Public authorities and other recipients: Furthermore, we may be obligated to disclose your personal data to further recipients, as per example to state authorities in order to fulfill our legal notification obligations (e.g. voting rights notification).

5. How long is your data being stored?

Generally, we anonymize or erase your personal data as soon as and to the extent that it is no longer necessary for the abovementioned purposes, unless we are obligated to prolong the storage due to legal requirements regarding the provision of evidence or retention obligations (pursuant to the German Stock Corporation Act, the Commercial Code, the Fiscal Code or other regulations).

Data collected in connection with shareholders' meetings is regularly being stored for a time period of up to three years.

Furthermore, we are solely storing personal data in certain cases, if such storage is necessary in connection with claims brought against our Company (the legal limitation period amounts to up to thirty years).

6. What are your rights under Data Protection Law?

At the address of the Group Data Protection Officer pursuant to Section 1, you can request, free of charge, information about personal data stored according to article 15 GDPR, correction of personal data according to article 16 GDPR, erasure of personal data according to article 17 GDPR and restriction of processing of personal data (e.g. if your data is being processed unlawfully) according to article 18 GDPR. Requests for erasure can conflict under certain circumstances with the Company's legal obligations.

Pursuant to article 21 para. 1 GDPR, you have the right to object the processing of your data for purposes of safeguarding the Company's legitimate interests or those of third parties:

Right to object the data processing for purposes of safeguarding the Company's legitimate interests: If we are processing your data for purposes of safeguarding the Company's legitimate interests or those of third parties, you may object under the following address

Instone Real Estate Group AG
Group Data Protection Officer
TÜV Rheinland i-sec GmbH
Silvie van Etten
Am Grauen Stein, 51105 Cologne, Germany
phone: +49 (0) 221 56783-505
E-Mail: datenschutzbeauftragter@instone.de

on grounds relating to you or your particular situation. We will then terminate such processing of your data, unless we can demonstrate compelling legitimate grounds for the processing which override the interests, rights and freedoms of the parties concerned, exercise or defense of legal claims.

7. Do you have any complaints regarding the processing of your data?

For complaints regarding the processing of your personal data you may contact the Company's Group Data Protection Officer in order to initiate an immediate clarification of the matter. Furthermore, you have the right to lodge a complaint with a competent data protection authority. The data protection authority competent to supervise the Company is the following:

Regional Commissioner for Data Protection and Freedom of Information Nordrhein-Westfalen
Kavalleriestr. 2-4
40213 Düsseldorf
Deutschland
phone: +49 (0) 211 38424 0
Fax: +49 (0) 211 38424 10
E-Mail: poststelle@ldi.nrw.de