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## Item 5

### Elections to the Supervisory Board

The term of office of the Chairman of the Supervisory Board, Dr. Georg Kellinghusen, and the term of office of the chair of the Audit Committee, Dr. Michael Majerus, will end at the close of the Annual General Meeting on 8 March 2023. In addition, Prof. Dr. Bernhard Hauer resigned from his mandate with effect from the end of 31 May 2022. New elections by the Annual General Meeting are consequently required in order to fill these three Supervisory Board mandates.

Dr. Georg Kellinghusen is not available for re-election for reasons of age.

Pursuant to Section 96 (1) AktG, the Company's Supervisory Board consists of the shareholders' Supervisory Board members, and pursuant to Section 95 AktG and Section 9 (1) of the Company's bylaws, it consists of six members elected by the AGM. The AGM is not tied to nominations.

Pursuant to the recommendation of its Nomination Committee, the Supervisory Board proposes electing

- a) Mr. Dr. Michael Majerus, Munich, Consultant,
- b) Mrs. Christine Uekert, Berlin, Managing Director nsight consulting GmbH,
- c) Mr. Dr. Florian Schnabel, Munich, Managing Director MP Beteiligungs-GmbH,

as Supervisory Board members with effect from the end of the AGM on 8 March 2023 until the end of the AGM that passes a resolution concerning the discharge of the Supervisory Board for the fiscal year from 1 October 2025 until 30 September 2026.

It is intended that Dr. Michael Majerus will be proposed as a candidate to be the Chairman of the Supervisory Board if he is elected. It is further intended that, if elected, Ms. Christine Uekert shall be proposed as a candidate for the chair of the Audit Committee and that, if elected, Dr. Schnabel shall be proposed as a candidate as a member of the Audit Committee.

It is intended that the Supervisory Board elections be implemented as individual elections.

Dr. Michael Majerus and Dr. Florian Schnabel have expertise in the area of accounting in the meaning of Section 100 (5) AktG. Ms. Christine Uekert has expertise in the area of the auditing of financial statements in the meaning of Section 100 (5) of the German Stock Corporation Act (AktG). Such expertise in each case also relates to the non-financial statement to be included in the management report, as well as the auditing of the non-financial statement.

The nominations take into consideration the targets that the Supervisory Board has approved for its composition, and aim to satisfy the competency profile developed for the plenary board. The targets and the competency profile are published in the corporate governance declaration for the 2021/22 fiscal year, which are included in the 2021/22 annual report and which form part of the documents submitted in relation to agenda item 1.

To a large extent, all of the proposed candidates possess the experience and expertise required to exercise the Supervisory Board mandate, as well as the necessary sector, specialist and corporate knowledge. All of the candidates are familiar both with the business area in which the Company operates and with the capital market environment. The Supervisory Board has satisfied itself that the candidates can devote the expected requisite amount of time to the mandate.