

Update of the Declaration of conformity with the German Corporate Governance Code pursuant to section 161 of the German Stock Corporation Act (AktG)

The executive board and supervisory board of Evonik Industries AG (hereinafter the “company”) submitted the last declaration of conformity with the German Corporate Governance Code in the version dated December 16, 2019, as published in the Federal Gazette on March 20, 2020, pursuant to section 161 of the German Stock Corporation Act in December 2020. This declaration is updated with the following exception:

According to recommendation C.5, members of the management board of a listed company should not accept the chairmanship of a supervisory board in a non-group listed company. Mr. Christian Kullmann, chairman of the management board of the company, was elected as chairman of the supervisory Board of Borussia Dortmund GmbH & Co. KGaA with effect from September 25, 2021. Mr. Kullmann has been a member of this board since May 2007 and has been its deputy chairman since August 2019. In this function, if the previous chairman of the supervisory board was unable to do so, he prepared and chaired the meetings of the supervisory board and the annual shareholders’ meeting of Borussia Dortmund GmbH & Co. KGaA in November 2020. Mr. Kullmann is just as familiar with the peculiarities and challenges of professional football of a listed company as with the tasks that the function of chairman of the supervisory board entails. In addition, the company is connected to Borussia Dortmund through the holding of a stake as well as the current sponsorship agreement and therefore has an interest in Mr. Kullmann assuming this mandate. The company’s supervisory board also dealt with the temporal and strategic aspects of this mandate. Taking into account the aforementioned aspects, an exception from the recommendation C.5 is therefore considered to be justifiable.

With effect from the end of the annual shareholders’ meeting on June 2, 2021, Mr. Peter Spuhler resigned from the company’s supervisory board. The declaration of an exception from recommendation C.5 has not been required since then and will no longer be necessary for him in the future.

Incidentally, the declaration of conformity from December 2020 continues to apply without restriction.

Essen, September 2021

The Executive Board

The Supervisory Board