

EVN AG  
with registered headquarters in Maria Enzersdorf  
FN 72000 h  
ISIN: AT0000741053

### **Additional information on the rights of shareholders at the Annual General Meeting on 02 February 2023**

#### **Request for the inclusion of points on the agenda pursuant to Article 109 of the Austrian Stock Corporation Act**

Shareholders whose shares, individually or together, represent at least 5% of share capital and who have held these shares for at least three months may submit a written request for additional points to be put on the agenda and announced for the Annual General Meeting. These requests must be received by the Company no later than the 21<sup>st</sup> day before the Annual General Meeting, i.e., on or before **12 January 2023**.

Shareholders can send these requests to the Company in writing, exclusively in one of the following manners:

by mail or messenger: EVN AG  
Attn: Christoph Lavicka  
EVN Platz, AT-2344 Maria Enzersdorf

by e-mail: [anmeldung.evn@hauptversammlung.at](mailto:anmeldung.evn@hauptversammlung.at)  
with the request to be attached to the e-mail in writing (qualified electronic signature),  
e.g. in PDF format

or via SWIFT GIBAATWGGMS – Message Type MT598 or MT599  
with ISIN: AT0000741053 to be included in the text

Each item requested for inclusion in the agenda must be accompanied by a draft resolution including the rationale for its inclusion. The applicants must have held their shares for at least three months prior to the submission of their request(s). For bearer shares, the proof of shareholding must be verified by a depository certificate as defined in Article 10a of the Austrian Stock Corporation Act, which confirms that the respective shareholders have held their shares for at least three months prior to the request; this certificate may not be older than seven days when it is submitted to the company. If the required 5% threshold is only reached by the combined holdings of several shareholders, the depository certificates for these shareholders must refer to the same date and the same time. The other requirements for the depository certificates are specified in the invitation to the Annual General Meeting (also see below).

#### **Proposed resolutions submitted by shareholders pursuant to Article 110 of the Austrian Stock Corporation Act**

Pursuant to § 110 of the Austrian Stock Corporation Act, shareholders whose shares, individually or together, represent at least 1% of share capital may submit, in text form, proposals for resolutions on any point of the agenda as well as a request that the proposals be published on the Company's website

together with the names of the involved shareholders, the underlying reasons and any statement by the Executive Board or Supervisory Board.

Shareholders can send these requests to the Company in text form, exclusively in one of the following manners:

by mail or messenger: EVN AG  
Attn: Christoph Lavicka  
EVN Platz, AT-2344 Maria Enzersdorf  
by fax: +43 (0) 1 8900 500 50  
or by email: [anmeldung.evn@hauptversammlung.at](mailto:anmeldung.evn@hauptversammlung.at)  
with the request to be attached to the e-mail in text form,  
e.g. in PDF format

A proposal must be considered when it was received by the company on or before the seventh working day prior to the Annual General Meeting, i.e. no later than **24 January 2023**.

Eligible proposals for resolutions will be published within two working days after receipt on the Company's website: [www.evn.at/AGM](http://www.evn.at/AGM). A proposed resolution published on the Company's website will only be voted on at the Annual General Meeting if it is repeated as a motion at the respective meeting. The submission of the proposed resolution must also include a depository certificate which confirms the applicant's shareholding on the issue date; this certificate may not be older than seven days when it is submitted to the Company. If the 1% threshold is only met by combining the holdings of several shareholders, the depository certificates must refer to the same date and the same time. The same rules stated in the invitation to the Annual General Meeting (see below) also apply to the issuance, content, and transmission of depository certificates. If the request and one or more depository certificates are sent separately to the Company, the Company must have received all documents no later than **24 January 2023**.

#### **Right to propose motions pursuant to Article 119 of the Austrian Stock Corporation Act**

Every shareholder is entitled to propose motions to any point on the agenda at the Annual General Meeting. The requirement for these proposals is proof of eligibility to attend the Annual General Meeting by presenting a depository certificate as described in the invitation to the AGM (also see below).

#### **Right to receive information pursuant to Article 118 of the Austrian Stock Corporation Act**

Each shareholder is entitled during the Annual General Meeting to request and receive information concerning the Company's business to the extent this information is necessary for proper understanding of an item on the agenda. The obligation to provide information also covers the Company's legal and business relationships with its affiliates, the position of the Group and the entities included in the consolidated financial statements. This information must reflect the principles of true and conscientious accountability. The request for information may be refused in cases where reasonable entrepreneurial evaluation of the subject in question indicates that the disclosure of such information is likely to cause a considerable disadvantage to the Company or to any of its affiliates or that disclosure would lead to prosecution. A request for information may also be refused in cases where the information was continuously available under the "Questions and Answers" section of the Company's website as listed in the Company Register for a minimum of seven days before the start of the Annual General Meeting.

## **Depository confirmations pursuant to Article 10a of the Austrian Stock Corporation Act**

The depository confirmations must be issued by the credit institution which maintains the shareholder's custody account; this institution must have its seat in a member state of the European Economic Area or in a full member state of the OECD. Shareholders are asked to contact the Company if their depository institution does not meet these requirements. The depository confirmation must be issued in German or English and include the following: 1. Information on the issuing credit institution: name (company name) and address or a code commonly used in transactions between credit institutions; 2. Information on the shareholder: name (company name) and address, date of birth for natural persons, or if applicable, the registry and registry number for legal entities; 3. Depository number or other depository designation; 4. Information on the shares: number of shares and their designation or ISIN; 5. The date or period to which the confirmation refers.

If the depository confirmation is intended to prove the current status as shareholder, it may not be older than seven days when it is submitted to the Company.

Depository confirmations can be sent to the Company in written form, exclusively in one of the following manners:

by mail or messenger: HV-Veranstaltungsservice GmbH  
Köppel 60, AT-8242 St. Lorenzen am Wechsel

by telefax: +43 (0) 1 8900 500 50

by email: [anmeldung.evn@hauptversammlung.at](mailto:anmeldung.evn@hauptversammlung.at)  
with the request to be attached to the e-mail in text form, e. g. in PDF format

or via SWIFT: GIBAAWGGMS – Message Type MT598 or MT599,  
with ISIN: AT0000741053 to be included in the text

After careful consideration and evaluation of the current general health situation, the Executive Board has concluded that the situation allows for this year's Annual General Meeting to be conducted in person.

**Note that attendance will be possible exclusively in compliance with any legislative Covid measures – such as mask or test requirements – in effect on the day of the Annual General Meeting.**