



Fresenius SE & Co. KGaA

Bad Homburg v.d.H.

**Virtual Annual General Meeting on 17 May 2023 – Information pursuant to Sec. 125 Stock Corporation Act (AktG) in conjunction with the Commission Implementing Regulation (EU) 2018/1212 (“EU-IR”)**

<b>A. Specification of the Message</b>		
1.	Unique identifier of the event	Virtual Annual General Meeting 2023 of Fresenius SE & Co. KGaA <i>In EU-IR format:</i> [672b533ec6c7ed118143005056888925]
2.	Type of message	Notice of convocation of Annual General Meeting <i>In EU-IR format:</i> NEWM
<b>B. Specification of the Issuer</b>		
1.	ISIN	DE0005785604 DE0005785620 DE000A3MQCV5
2.	Name of Issuer	Fresenius SE & Co. KGaA
<b>C. Specification of the Meeting</b>		
1.	Date of the Annual General Meeting	17 May 2023 <i>In EU-IR format:</i> 20230517
2.	Time of the Annual General Meeting	10:00 AM CEST <i>In EU-IR format:</i> 8:00 AM UTC
3.	Type of General Meeting	Annual General Meeting as virtual meeting without the physical presence of shareholders or their representatives (with the exception of the proxies appointed by the Company) <i>In EU-IR format:</i> GMET

4.	Location of the Annual General Meeting	URL to the Company's website for following the Annual General Meeting by means of electronic video and audio transmission and for exercising shareholders' rights: <a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a> <i>Place of the Annual General Meeting as defined by the Stock Corporation Act (AktG):</i> <i>Congress Center Messe Frankfurt, Ludwig-Erhard-Anlage 1, 60327 Frankfurt am Main</i>
5.	Record Date <sup>1</sup>	25 April 2023 <i>In EU-IR format:</i> <i>20230425</i>
6.	Uniform Resource Locator (URL)	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
<b>D.</b>	<b>Participation in the Annual General Meeting – Electronic participation</b>	
1.	Type of participation by shareholder	Electronic participation (also by representatives) <i>In EU-IR format:</i> <i>VI (also: PX)</i>
2.	Issuer deadline for notification of participation	Timely registration by the shareholder to follow the Annual General Meeting as well as timely proof of eligibility: 10 May 2023, 24:00 midnight CEST <i>In EU-IR format:</i> <i>20230510, 10:00 PM UTC</i>
3.	Issuer deadline for voting	n/a
<b>D.</b>	<b>Participation in the Annual General Meeting – Following the virtual Annual General Meeting by means of electronic video and audio transmission</b>	
1.	Type of participation by shareholder	Following the virtual Annual General Meeting by means of electronic video and audio transmission (also by representatives)  (does per se neither constitute a participation within the meaning of the stock corporation act nor an exercise of voting right) <i>In EU-IR format:</i> <i>OT (also: PX)</i>
2.	Issuer deadline for notification of participation	Timely registration by the shareholder as well as timely proof of eligibility: 10 May 2023, 24:00 midnight CEST <i>In EU-IR format:</i> <i>20230510, 10:00 PM UTC</i>
3.	Issuer deadline for voting	n/a

<sup>1</sup> Please note that the so-called Record Date according to the formal pre-requisites of the EU-IR is a technical date in relation to banks' requirements, which is not necessarily identical to the record date according to sec. 123 para 4 sentence 2 Stock Corporation Act (AktG). Please find more details to the record date in accordance with the stock corporation law in the Company's convocation document.

<b>D.</b>	<b>Participation in the Annual General Meeting – Voting by electronic postal ballot</b>	
1.	Type of participation by shareholder	Exercise of electronic postal ballot (also by representatives) (does not per se constitute a participation within the meaning of the stock corporation act) <i>In EU-IR format:</i> <i>EV (also: PX)</i>
2.	Issuer deadline for notification of participation	Timely registration by the shareholder as well as timely proof of eligibility: 10 May 2023, 24:00 midnight CEST <i>In EU-IR format:</i> <i>20230510, 10:00 PM UTC</i>
3.	Issuer deadline for voting	For the submission of votes by electronic postal ballot or the revocation or amendment thereof, the Company has established the password-protected shareholder portal that can be accessed at <a href="https://www.frese-nius.com/annual-general-meeting">https://www.frese-nius.com/annual-general-meeting</a> and which will also be available for this purpose on the day of the virtual Annual General Meeting until closing of the voting by the chairman of the meeting <i>In EU-IR format:</i> <i>20230517; until the closing of the voting by the chairman of the meeting</i>
<b>D.</b>	<b>Participation in the Annual General Meeting – Voting by Company Proxies</b>	
1.	Type of participation by shareholder	Granting of power of attorney and instruction to Company nominated Proxies (also by representatives) <i>In EU-IR format:</i> <i>PX</i>
2.	Issuer deadline for notification of participation	Timely registration by the shareholder as well as timely proof of eligibility: 10 May 2023, 24:00 midnight CEST <i>In EU-IR format:</i> <i>20230510, 10:00 PM UTC</i>

3.	Issuer deadline for notification of participation	<p>Depending on the way of communication:</p> <p>a)</p> <p>The Company has established a password-protected shareholder portal for granting powers of attorney and instructions to the proxies nominated by the Company or for revoking or amending such powers of attorney, which can be accessed under <a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a> and which will also be available for this purpose on the day of the virtual Annual General Meeting until the beginning of voting.</p> <p><i>In EU-IR format:</i> 20230517; until the beginning of voting</p> <p>b)</p> <p>In addition, shareholders may also use the proxy form that they receive together with the voting card for the virtual Annual General Meeting to grant powers of attorney and instructions to the Company's proxies. The completed form can be sent to the Company prior to the Annual General Meeting to the following address: Fresenius SE &amp; Co. KGaA Investor Relations &amp; Sustainability c/o Computershare Operations Center 80249 München E-Mail: <a href="mailto:FreseniusSE-HV2023@computershare.de">FreseniusSE-HV2023@computershare.de</a></p> <p>In this case, for organizational reasons, the form must be received by the Company at the above postal address or e-mail address no later than: 16 May 2023, 06:00 PM CEST</p> <p><i>In EU-IR format:</i> 20230516, 4:00 PM UTC</p>
<b>E.</b>	<b>Agenda – Agenda item 1</b>	
1.	Unique identifier of agenda item	1
2.	Title of agenda item	Presentation of the Annual Financial Statements and the Consolidated Financial Statements, each approved by the Supervisory Board, the Management Reports for Fresenius SE & Co. KGaA and the Group and the Report of the Supervisory Board of Fresenius SE & Co. KGaA for the Fiscal Year 2022; Resolution on the Approval of the Annual Financial Statements of Fresenius SE & Co. KGaA for the Fiscal Year 2022
3.	URL of the materials	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	<p>Binding vote</p> <p><i>In EU-IR format:</i> BV</p>

5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB
<b>E.</b>	<b>Agenda – Agenda item 2</b>	
1.	Unique identifier of agenda item	2
2.	Title of agenda item	Resolution on the Allocation of the Distributable Profit
3.	URL of the materials	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	Binding vote <i>In EU-IR format:</i> BV
5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB
<b>E.</b>	<b>Agenda – Agenda item 3</b>	
1.	Unique identifier of agenda item	3
2.	Title of agenda item	Resolution on the Approval of the Actions of the General Partner for the Fiscal Year 2022
3.	URL of the materials	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	Binding vote <i>In EU-IR format:</i> BV
5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB
<b>E.</b>	<b>Agenda – Agenda item 4</b>	
1.	Unique identifier of agenda item	4
2.	Title of agenda item	Resolution on the Approval of the Actions of the Supervisory Board for the Fiscal Year 2022
3.	URL of the materials	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	Binding vote <i>In EU-IR format:</i> BV
5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB

<b>E.</b>	<b>Agenda – Agenda item 5</b>	
1.	Unique identifier of agenda item	5
2.	Title of agenda item	Election of the Auditor and Group Auditor for the Fiscal Year 2023 and of the Auditor for the potential Review of Financial Information during the Course of the Year
3.	URL of the materials	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	Binding vote <i>In EU-IR format:</i> BV
5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB
<b>E.</b>	<b>Agenda – Agenda item 6</b>	
1.	Unique identifier of agenda item	6
2.	Title of agenda item	Resolution on the Approval of the Compensation Report for the Fiscal Year 2022
3.	URL of the material	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	Advisory vote <i>In EU-IR format:</i> AV
5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB
<b>E.</b>	<b>Agenda – Agenda item 7</b>	
1.	Unique identifier of agenda item	7
2.	Title of agenda item	Resolution on the Approval of the Revised Compensation System for the Members of the Management Board of the General Partner
3.	URL of the materials	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	Advisory vote <i>In EU-IR format:</i> AV
5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB
<b>E.</b>	<b>Agenda – Agenda item 8</b>	
1.	Unique identifier of agenda item	8

2.	Title of agenda item	Resolution on an Addition to Article 14 of the Articles of Association authorizing the General Partner to allow for a Virtual General Meeting to be held
3.	URL of the materials	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	Binding vote <i>In EU-IR format:</i> BV
5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB
<b>E.</b>	<b>Agenda – Agenda item 9</b>	
1.	Unique identifier of agenda item	9
2.	Title of agenda item	Resolution on an Addition to Article 15 (3) of the Articles of Association enabling members of the Supervisory Board to attend the General Meeting by means of audio and video transmission in the case of a Virtual General Meeting
3.	URL of the materials	<a href="https://www.fresenius.com/annual-general-meeting">https://www.fresenius.com/annual-general-meeting</a>
4.	Vote	Binding vote <i>In EU-IR format:</i> BV
5.	Alternative voting options	Vote in favour, vote against, abstention <i>In EU-IR format:</i> VF, VA, AB
<b>F.</b>	<b>Specification of the deadlines regarding the exercise of other shareholders rights – Motions by shareholders to amend the Agenda</b>	
1.	Object of deadline	Motions by shareholders to amend the agenda pursuant to sec. 122 para 2 in conjunction with sec. 278 para 3 Stock Corporation Act (AktG)
2.	Applicable issuer deadline	16 April 2023, 24:00 midnight CEST <i>In EU-IR format:</i> 20230416, 10:00 PM UTC
<b>F.</b>	<b>Specification of the deadlines regarding the exercise of other shareholders rights – Pre-submission of counter-motions</b>	
1.	Object of deadline	Transmission of counter-motions by shareholders pursuant to sec. 126 para 1 in conjunction with sec. 278 para 3 Stock Corporation Act (AktG)
2.	Applicable issuer deadline	02 May 2023, 24:00 midnight CEST <i>In EU-IR format:</i> 20230502, 10:00 PM UTC

<b>F.</b>	<b>Specification of the deadlines regarding the exercise of other shareholders rights – Pre-submission of proposals for election</b>	
1.	Object of deadline	Transmission of proposals for election by shareholders pursuant to sec. 127 in conjunction with sec. 278 para 3 Stock Corporation Act (AktG)
2.	Applicable issuer deadline	02 May 2023, 24:00 midnight CEST <i>In EU-IR format:</i> 20230502, 10:00 PM UTC
<b>F.</b>	<b>Specification of the deadlines regarding the exercise of other shareholders rights – Right to propose motions in the Annual General Meeting (motions and election proposals)</b>	
1.	Object of deadline	Right to propose motions in the annual general meeting (motions and election proposals)
2.	Applicable issuer deadline	On 17 May 2023 during the Annual General Meeting in the time frame permitted by the chairman of the meeting <i>In EU-IR format:</i> 20230517; during the Annual General Meeting in the time frame permitted by the chairman of the meeting
<b>F.</b>	<b>Specification of the deadlines regarding the exercise of other shareholders rights – Right of Shareholders to information by means of electronic communication</b>	
1.	Object of deadline	Request for information by means of electronic communication at the Annual General Meeting pursuant to sec. 131 para 1 Stock Corporation Act (AktG)
2.	Applicable issuer deadline	On 17 May 2023 during the Annual General Meeting in the time frame permitted by the chairman of the meeting <i>In EU-IR format:</i> 20230517; during the Annual General Meeting in the time frame permitted by the chairman of the meeting
<b>F.</b>	<b>Specification of the deadlines regarding the exercise of other shareholders rights – Right of Shareholders to speak</b>	
1.	Object of deadline	Right of Shareholders to speak by means of video communication at the Annual General Meeting pursuant to sec. 130a para 5 and 6 Stock Corporation Act (AktG)
2.	Applicable issuer deadline	On 17 May 2023 during the Annual General Meeting in the time frame permitted by the chairman of the meeting <i>In EU-IR format:</i> 20230517; during the Annual General Meeting in the time frame permitted by the chairman of the meeting



<b>F.</b>	<b>Specification of the deadlines regarding the exercise of other shareholders rights – Objection to resolutions by Annual General Meeting</b>	
1.	Object of deadline	Right to object to resolutions of the Annual General Meeting by means of electronic communication pursuant to sec. 118a para 1 sentence 2 no. 8 Stock Corporation Act (AktG) in conjunction with sec. 245 Stock Corporation Act (AktG)
2.	Applicable issuer deadline	On 17 May 2023, from the opening of the Annual General Meeting until its closing by the chairman of the meeting  <i>In EU-IR format:</i> 20230517; from the opening of the annual general meeting until its closing by the chairman of the meeting
<b>F.</b>	<b>Indication of deadlines for exercising other shareholder rights -. Submission of statements for publication prior to the Annual General Meeting</b>	
1.	Object of deadline	Submission of statements on the items of the agenda for publication prior to the Annual General Meeting by means of electronic communication pursuant to sec. 130a para 1 to 4 Stock Corporation Act (AktG)
2.	Applicable issuer deadline	11 May 2023, 24:00 midnight CEST  <i>In EU-IR format:</i> 20230511, 10:00 PM UTC

CEST = Middle European Summer Time

UTC = Coordinated World Time

n/a = not applicable

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