

Supplement to the Declaration of the Board of Management and the Supervisory Board of  
VOLKSWAGEN AG  
on the recommendations of the  
“Government Commission of the German Corporate Governance Code”  
pursuant to section 161 German Stock Corporation Act

The Board of Management and Supervisory Board declare the following:

- 1) The Board of Management and the Supervisory Board of VOLKSWAGEN AG declared by means of a Declaration of Conformity dated 11 November 2022 that, with the exception of the following numbers, they would in future comply with the recommendations of the “Government Commission of the German Corporate Governance Code” in the version dated 28 April 2022 (“GCGC”) published by the German Federal Ministry of Justice on 27 June 2022 in the official section of the Federal Gazette (*Bundesanzeiger*):
  - a) Recommendation B.3 (Duration of first-time appointments to the Board of Management)
  - b) Recommendation C.5 (Mandate ceiling regarding Board of Management mandate)
  - c) Recommendation C.13 (Disclosure regarding election proposals)
  - d) Recommendation G.6 (Predominance of long-term variable remuneration)
  - e) Recommendation G.10 sentence 2 (Four-year commitment period)
  - f) Recommendation G.13 sentence 1 (Severance cap).
- 2) On 29 September 2023, the Supervisory Board resolved to reappoint Dr. Manfred Döss as a member of the Board of Management of VOLKSWAGEN AG until midnight of 30 September 2028 and thus beyond the age of 68. This means the following:

Recommendation B.5 (specification of an age limit for members of the Board of Management)

Pursuant to recommendation B.5, an age limit is to be specified for members of the Board of Management and disclosed in the Group Corporate Governance Declaration. In compliance with this recommendation, the Supervisory Board has specified an age limit which is disclosed in the Group Corporate Governance Declaration: According to this, members of the Board of Management are “[a]s a rule [...] to be appointed up to a maximum age of 65”. Members of the Board of Management may be appointed “beyond the age of 65 up to a maximum age of 68”. Due to his reappointment now resolved, Dr. Döss will have reached the age of 70 at the end of his term of office. The Supervisory Board adheres to the age limit specified for members of the Board of Management. As regards the reappointment of Dr. Döss, the Supervisory Board however considers it to be in the interest of the Company to overcome – by way of exception, while the age limit as such remains in force – the age limit in this specific case. The greatest transformation in the history of the VOLKSWAGEN Group which has already begun and is to be further implemented in the coming years affects to a great extent issues from the “Integrity and Legal Affairs” Division, for example with regard to transportation with autonomous driving and environment, social and governance (“ESG”) issues. These issues are already very important for the VOLKSWAGEN Group today, and their importance will increase in the future. Dr. Döss has initiated numerous activities arising from the “Integrity and Legal Affairs” Division which are associated with the transformation and ESG. It is in the particular interest of VOLKSWAGEN AG for Dr. Döss to continue to take re-

sponsibility for these activities in the VOLKSWAGEN Group in the coming years as well and remain the contact person for the respective stakeholders. At the same time, it should also be borne in mind that due to his activities for VOLKSWAGEN AG over many years, Dr. Döss is especially familiar with the VOLKSWAGEN Group. This knowledge and familiarity with the existing processes are of particular importance for the ability to implement activities which have already been initiated, along with others, as efficiently and effectively as possible. It cannot however be ruled out that legal commentators would regard a company as having deviated from recommendation B.5 even if it had overcome a specific applicable age limit only once while the age limit as such remains in force. As a precautionary measure, such a deviation is therefore declared.

Wolfsburg, 29 September 2023

For the Supervisory Board

For the Board of Management

Pötsch

Dr. Blume