

## **Statement of compliance in accordance with Sec. 161 of the German Stock Corporation Act**

After an orderly audit, the Executive Board and the Supervisory Board of RWE Aktiengesellschaft, make the following statement of compliance:

Since the last statement of compliance dated 11 December 2020 RWE Aktiengesellschaft has complied with the recommendations of the Government Commission of the German Corporate Governance Code published by the Federal Ministry of Justice in the official section of the German Federal Gazette on 20 March 2020 (Code as amended on 16 December 2019) ("GCGC"), with the following temporary deviation:

*According to recommendation C.4 of the GCGC, a Supervisory Board member who is not a member of the Management Board of a listed company shall not accept more than five Supervisory Board mandates at non-group listed companies or comparable functions, with an appointment as Chair of the Supervisory Board being counted twice.*

The Executive Board and the Supervisory Board still intend to comply with this recommendation. Following the court appointment of Thomas Kufen as a member of the Supervisory Board of RWE Aktiengesellschaft, since 18 October 2021 there will only be a temporary deviation from this until the end of 31 December 2021, as Mr. Kufen, including the mandate at RWE Aktiengesellschaft, still holds six countable mandates on a transitional basis which, in the opinion of the Executive Board and the Supervisory Board, are to be taken into account in the context of recommendation C.4. From 1 January 2022, the maximum number of mandates will again be complied with, as Mr. Kufen has resigned one mandate with effect as of 31 December 2021. It was not possible to adjust the mandate situation in advance due to the short-term nature of the appointment. However, the Supervisory Board has ensured that Mr. Kufen has sufficient time to perform his Supervisory Board mandate at RWE Aktiengesellschaft.

In the future, all recommendations will be complied with.

Essen, 10 December 2021

RWE Aktiengesellschaft

For the Supervisory Board



Dr. Werner Brandt

For the Executive Board



Dr. Markus Krebber