

Declaration of conformity

The recommendations of the German Corporate Governance Code Government Commission were designed with stock corporations in mind. Dräger applies these recommendations to Drägerwerk Verwaltungs AG wherever they are relevant to the general partner and bodies of the AG & Co. KGaA following the change in legal form.

The general partner, represented by its Executive Board, and the Supervisory Board declare that Drägerwerk AG & Co. KGaA acted on the recommendations of the German Corporate Governance Code Government Commission, as amended on May 15, 2012, from the date of the issue of its previous declaration of conformity on December 17, 2012 to June 9, 2013, and has acted and will continue to act on the recommendations as amended on May 13, 2013, since June 10, 2013.

In addition, we refer to the following:

On the recommendations stated in 4.2.2 sentence 6 (compensation structure) and 4.2.3 sentence 10 (pension schemes for Executive Board members):

These recommendations are not to be applied to existing employment contracts with Executive Board members. In the event of changes to existing employment contracts or the conclusion of new employment contracts with Executive Board members, both recommendations will be complied with.

On the recommendation stated in 4.2.3 sentence 7 (compensation caps):

The employment contracts with incumbent Executive Board members specify a fixed component and variable components as well as the potential for a special payment upon resolution by the Supervisory Board. All components are capped, as are bonus payments that are awarded and subsequently disbursed from the medium-term bonus reserve. As a result, caps have been implemented.

On the recommendation stated in 5.1.2 sentence 2 (diversity in the appointment of Executive Board members):

When appointing the members of the Executive Board, the Supervisory Board of the general partner takes into account qualifications of the available persons. In the event of the same qualification of candidate, female candidates are preferred.

Lübeck, December 2013