

Declaration by the Board of Management and Supervisory Board of Daimler AG pursuant to Section 161 of the German Stock Corporation Act (AktG) regarding the German Corporate Governance Code

Since the issuance of the last compliance declaration in December 2019, Daimler AG has observed all recommendations of the German Corporate Governance Code published in the official section of the German Federal Gazette on April 24, 2017 in the Code version dated February 7, 2017 (“Code 2017”), with the exception of Clause 3.8 Paragraph 3 (D&O insurance deductible for the Supervisory Board) and Clause 5.4.5 Paragraph 1 Sentence 2 (Maximum number of Supervisory Board mandates for members of the Management Board of a listed company).

D&O insurance deductible for the Supervisory Board (Clause 3.8, Paragraph 3 of Code 2017). The Directors & Officers insurance for the members of the Supervisory Board does not provide for a deductible, which corresponds to the the legally required deductible for members of the Board of Management. In view of the function-related fixed remuneration without profit-sharing components, such a deductible would not lead to an increase in the motivation and responsibility, with which the members of the Supervisory Board exercise their duties.

This Code recommendation is no longer included in the German Corporate Governance Code in the version dated December 16, 2019.

Maximum number of Supervisory Board mandates for members of the Management Board of a listed company (Clause 5.4.5 Paragraph 1 Sentence 2 of Code 2017). According to this recommendation, members of the Management Board of a listed company shall not accept more than a total of three Supervisory Board mandates in non-group listed companies or on supervisory bodies of non-group entities that make similar requirements.

This Code recommendation is reflected in a corresponding recommendation, which posits even more stringent requirements, in C.5 of the German Corporate Governance Code in the version of December 16, 2019.

Daimler AG satisfies the recommendations of the German Corporate Governance Code in the version of December 16, 2019 (“Code 2019”), published in the official section of the German Federal Gazette on March 20, 2020, with the exception of the recommendations in C.4 and C.5 (Maximum number of Supervisory Board mandates) and will continue to observe the recommendations with the aforementioned deviations.

Maximum number of Supervisory Board mandates (C.4 and C.5 of Code 2019). According to recommendation C.4, Supervisory Board members who are not members of any Management Board of a listed company shall not accept more than a total of five Supervisory Board mandates in non-group listed companies or comparable functions, whereby a mandate as Supervisory Board Chair counts twice. According to the recommendation of C.5, members of the Management Board of listed companies shall not have a total of more than two Supervisory Board mandates in non-group listed

companies or comparable functions, and shall not accept Chairmanship of a Supervisory Board in a non-group listed company.

Whether the number of mandates held by members of the Management Boards and Supervisory Boards of listed companies still appears to be appropriate is to be assessed more appropriately on a case-by-case basis than by a rigid upper limit, however. The individual workload expected of a member of the Management Board as a result of the total number of mandates held does not necessarily increase in proportion to their number.

Stuttgart, December 2020

For the Supervisory Board
Dr. Manfred Bischoff
Chairman

For the Board of Management
Ola Källenius
Chairman