

**Memorandum on the resolution of the Supervisory Board of  
Aurubis AG  
dated December 19, 2023**

At its meeting on December 19, 2023, the Supervisory Board unanimously agreed to the Executive Board's resolution on the utilization of unappropriated earnings for fiscal year 2022/23 (presented here) after extensive discussion.

Hamburg, December 19, 2023

For accuracy:

Prof. Dr. Fritz Vahrenholt  
Chairman of the Supervisory Board

**Resolution of the Executive Board of  
Aurubis AG  
dated December 19, 2023**

**Proposal for the utilization of unappropriated earnings for fiscal year 2022/23**

After extensive consultation, the Executive Board has unanimously passed a resolution to present the following proposal on the utilization of unappropriated earnings at the Annual General Meeting:

**“The Executive Board and Supervisory Board propose to the shareholders at the Annual General Meeting that the unappropriated net income in the amount of € 203,664,752.42 reported in the adopted financial statements of Aurubis AG as at September 30, 2023 be used to pay a dividend to the shareholders of € 1.40 per dividend-qualifying no-par-value share, i.e., a total of € 61,122,642.00 on the dividend-qualifying subscribed capital of € 111,767,116.80 and that the amount of € 142,542,110.42 be carried forward.”**

**The recommendation on the appropriation of earnings takes into account the company’s treasury shares held directly or indirectly, which amounted to 1,297,693 shares on December 19, 2023 and are not dividend-qualifying in accordance with Section 71b of the German Stock Corporation Act (AktG). The company purchased these shares in the period from March 19, 2020 to November 2, 2020 as part of the share buyback program that the company decided to undertake on March 18, 2020. The number of dividend-qualifying shares can change until the Annual General Meeting. In this case, the shareholders participating in the AGM will be presented with an accordingly adjusted recommendation for the appropriation of earnings, with an unchanged dividend proposal of € 1.40 per dividend-qualifying no-par-value share. If the number of dividend-qualifying no-par value shares and thus the dividend total increases, the profit brought forward decreases accordingly. If the number of dividend-qualifying shares and thus the dividend total decreases, the profit brought forward increases accordingly.**

Hamburg, December 19, 2023

Roland Harings      Inge Hofkens      Dr. Heiko Arnold      Rainer Verhoeven