

**Declaration of Conformity of the Management Board and the Supervisory Board of BioNTech SE with the German Corporate Governance Code (“Code”) pursuant to Section 161 of the German Stock Corporation Act (*AktG*).**

The Management Board and Supervisory Board have dealt in detail with the recommendations of the Corporate Governance Code (“Code”) and on 27 February 2024 adopted the following Declaration of Conformity pursuant to Section 161 (1) of the German Stock Corporation Act (*AktG*):

With the exception of the points listed below, BioNTech SE (“Company”) has complied with all recommendations of the Code in the version from 28 April 2022 and will continue to comply with them in the future.

- According to Item B.1 of the Code, the Supervisory Board shall pay attention to diversity in the composition of the Management Board. On 8 March 2023, the Supervisory Board of the Company set the target for the proportion of women on the Management Board at 25 %. The deadline by which this target is to be achieved was set at 31 December 2025. Dr. James Ryan was appointed to the Management Board as Chief Legal Officer with effect from 1 September 2023. Previously, the position of Chief Legal Officer did not exist in the Company. The Supervisory Board considered it to be important to fulfill the strategic and economic goals of the Company by appointing a representative of the Company’s Legal Department to the Management Board. As Senior Vice President Legal & IP and General Counsel, Dr. James Ryan was already the head of the Legal Department for many years and, due to his significant expertise and the trust that the Supervisory Board had in him, he was the most suitable candidate for this position. The appointment was made after careful consideration and discussion and, in the view of the Supervisory Board, was in the best interest of the Company. The Supervisory Board is working on the new target values set with regard to diversity on the Management Board and will continue to take these into account in the future.
- According to Item B.3 of the Code, the initial appointment of Management Board members shall be for a period of no more than three years. In deviation from this, the Management Board member Dr. James Ryan was appointed with effect from 1 September 2023 for a period of four years. With regard to Dr. James Ryan’s many years of experience in the Company as Senior Vice President Legal & IP and General Counsel and professional qualifications, the Supervisory Board considered an initial appointment of four years to be necessary and appropriate. Furthermore, the Supervisory Board considered the initial appointment for a period of four years to be in the best interest of the Company in order to be able to implement long-term strategic corporate goals and decisions.
- According to Item C.7 of the Code, it is recommended that more than half of the members of the Supervisory Board be independent of the Company and the Management Board. Accordingly, a Supervisory Board member is independent of the Company and its Management Board if he or she has no personal or business relationship with the Company or its Management Board that could constitute a material and not merely temporary conflict of interest. In assessing independence, the length of service on the Supervisory Board shall be taken into account, among other factors. Despite the fact that two out of six members of the Supervisory Board have been on the Supervisory Board for longer than the twelve years recommended by the Code, all members of the Supervisory Board are considered to be independent. The Supervisory Board considers it advantageous and essential for the Company to maintain the knowledge and experience currently available on the Board. This includes many years of knowledge of the Company and its industry as well as comprehensive professional knowledge in the areas of finance, economics, science and capital markets, which is particularly important in view of the current, steady global growth and change of the Company. Due to the long-standing relationship with the Company and the existing economic independence from the Company, as well as the absence of other concerns that could cause possible conflicts of interest, the length of membership of the two Supervisory Board members Mr. Helmut Jeggle and Mr. Michael Motschmann does not conflict with their respective independence (see Item C.8 of the Code).

Mainz, 27 February 2024

BioNTech SE

Management Board

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Prof. Dr. Ugur Sahin  
Chief Executive Officer, CEO

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Jens Holstein  
Chief Financial Officer, CFO

Supervisory Board

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Helmut Jeggler  
Chairman of the Supervisory Board