

## **INFORMATION CONCERNING THE RIGHTS OF SHAREHOLDERS**

### **Supplement of the agenda pursuant to section 109 Austrian Stock Corporation Act ("AktG")**

Shareholders, whose aggregate shares total **not less than 5% of the registered capital** and who have **held their shares for more than three months before the request**, may request additional agenda items for this general meeting, and their publication, provided such request is received by the Company either

- via Telefax to +43 (0)1 310 55 00 122, or
- in written to the Company's address "floridotower", Floridsdorfer Hauptstraße 1, A-1210 Vienna, Austria, to the attention of Mr. Daniel Folian, or
- via SWIFT to CENBATWW, Message Type MT599 (please indicate in the wording in case of shares ISIN AT0000827209)

**not later than on 12.5.2010** (21<sup>st</sup> day before the Annual General Meeting). Every such requested agenda item must be accompanied by a **draft resolution together with a justification**. In order to prove the shareholding it is sufficient to **submit a deposit certificate** according to section 10a AktG, which certifies that the applying shareholders have been holders of these shares since at least three months and which, at the date of submission to the Company, is not older than seven days. Pursuant to section 128 para 5 AktG it is required to submit any draft resolution also in a German version.

### **Draft resolutions of shareholders pursuant to section 110 AktG**

Shareholders, whose aggregate shares total **not less than 1% of the registered capital** may submit to every agenda item **draft resolutions together with a justification** and may request that these draft resolutions together with the justification and an optional statement by the Management Board or the Supervisory Board are published on the Internet site of the Company, provided such request is received in text form by the Company either

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**not later than on 21.5.2010** (7<sup>th</sup> business day before the Annual General Meeting). For the proof of the shareholding for the exercise of this shareholder right it is sufficient to submit a deposit certificate pursuant to § 10a AktG, which, at the date of submission to the Company, is not older than seven days. Several deposit certificates concerning shares, which together constitute a shareholding of 1 %, must refer to the same date. On a draft resolution, which has been published pursuant to section 110 AktG, a vote has only to be taken if it will be repeated as a proposal in the general meeting. Pursuant to section 128 para 5 AktG it is required to submit any draft resolution also in a German version.

### **Record date and right to participate in the general meeting**

The right to participate in the general meeting, the voting rights and all other shareholder rights, which may be exercised in the general meeting, are subject to the **shareholdings on 23.5.2010, 24.00 hours Vienna Time (Record Date)**, (10<sup>th</sup> day before the Annual General Meeting).

Only such shareholders have the right to participate in the general meeting, who give proof of qualification as a shareholder to the Company at that date. It is sufficient to submit a deposit certificate pursuant to § 10a AktG as proof of the shareholding on the Record Date, which must be received by the Company not later than on 28.5.2010, (3<sup>rd</sup> business day before the Annual General Meeting) solely at one of the below-mentioned addresses (Mail address, SWIFT-address, telefax).

### **Addresses for the delivery of deposit certificates to participate in the general meeting**

Via Mail: in written to the Company's address "floridotower", Floridsdorfer Hauptstraße 1, A-1210 Vienna, Austria, to the attention of Mr. Daniel Folian

Via Telefax: +43 (0)1 310 55 00 122

Via SWIFT: via SWIFT to CENBATWW, Message Type MT599 (please indicate in the wording in case of shares ISIN AT0000827209)

### **Deposit certificate pursuant to section 10a AktG**

The deposit certificate must be issued by a custodian bank with its seat in a member state of the European Economic Area or in a full member state of the OECD and shall include the following data:

- Information regarding the issuer: name/company and address or a code common between banks (SWIFTCODE);
- Information regarding the shareholder or holder of participation certificates: name/company, address, date of birth in case of natural persons, or registry and registration number in case of legal persons;
- Information regarding the shares: amount of shares (ISIN AT0000827209) of the shareholder,
- Deposit account number or other identification;
- The deposit certificate must refer to the Record Date, **23.5.2010**, 24.00 hours Vienna Time (10<sup>th</sup> day before the Annual General Meeting).

In the meaning of section 10a para. 1 last sentence AktG, Warimpex Finanz- und Beteiligungs Aktiengesellschaft will also accept certificates for the proof of shareholdings (deposit certificates), which are issued by legal persons, which are authorized as depositaries of these shares according to Polish law. The deposit certificates must be submitted in German or in English language.

The shareholders are not blocked by the registration to the general meeting or by the submission of the deposit certificate; thus shareholders may continue to freely dispose of their shares also after registration or submission of a deposit certificate.

**Notice concerning the right to ask questions pursuant to section 118 AktG**

Shareholders will be granted disclosure about all affairs of the Company in the general meeting, as far as it is necessary for the appropriate evaluation of an agenda item. Disclosure may be denied to the extent that after reasonable commercial assessment it could be to the material detriment of the Company or a Group Company, or if it would constitute a criminal offence. Questions, whose response needs longer preparation, must for the sake of an efficient meeting be submitted timely before the general meeting

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- via SWIFT to CENBATWW, Message Type MT599 (please indicate in the wording in case of shares ISIN AT0000827209).

**Information concerning the right of shareholders to propose resolutions in the general meeting pursuant to section 119 AktG**

Shareholders have the right to propose resolutions on any item on the agenda in the general meeting, which are not subject to prior publication, provided that the shareholders can prove their entitlement to participate in the general meeting according to the convocation.