



This is a non-binding convenience translation

Assignment of areas of responsibility within the Takeover Commission
pursuant to § 28 para 3 Takeover Act

§ 1 When determining the competent panel, an identical set of economic facts shall be regarded as one single case.

§ 2. The following three panels have been established:

Panel 1

Assignment of responsibility pursuant to § 16 Business Rules ¹					
	Members	Deputy 1	Deputy 2	Deputy 3	Deputy 4
Panel Chair	Winner	Aicher	Braumann		
Member from the judiciary	Fabian	Reden	Wittmann-Tiwald		
Other members	Hief ²	Kastil ²	Schön ²	Gahleitner ³	Ginner ³
	Leitsmüller ³	Gahleitner ³	Ginner ³	Kastil ²	Schön ²

Panel 2

Assignment of responsibility pursuant to § 16 Business Rules ¹					
	Members	Deputy 1	Deputy 2	Deputy 3	Deputy 4
Panel Chair	Aicher	Braumann	Winner		
Member from judiciary	Braumann	Wittmann-Tiwald	Fabian		
Other members	Kastil ²	Schön ²	Hief ²	Ginner ³	Leitsmüller ³
	Gahleitner ³	Ginner ³	Leitsmüller ³	Schön ²	Hief ²

Panel 3

Assignment of responsibility pursuant to § 16 Business Rules ¹					
	Members	Deputy 1	Deputy 2	Deputy 3	Deputy 4
Panel Chair	Braumann	Winner	Aicher		
Member from judiciary	Wittmann-Tiwald	Fabian	Braumann		
Other members	Schön ²	Hief ²	Kastil ²	Leitsmüller ³	Gahleitner ³
	Ginner ³	Leitsmüller ³	Gahleitner ³	Hief ²	Kastil ²

¹ § 16 of the Business Rules: "Where a member of the Takeover Commission is biased or unable to attend, the chairperson of the Takeover Commission shall assign to the ruling panel as deputy for such member, the member who is competent for such purpose pursuant to the assigned areas of responsibility."

² Member proposed by the Austrian Economic Chamber

³ Member proposed by the Austrian Chamber of Labour

§ 3 (1) Jurisdiction of the panels shall be governed by the first letter of the name of the issuer (offeree) as set out in the price list of the Vienna Stock Exchange (Official Bulletin of the Vienna Stock Exchange) dating from the first trading day in February of any given year. If it is not possible to determine which panel has jurisdiction based on a new listing as set out in the preceding sentence, jurisdiction shall, until the requirements set out in the preceding sentence have been met, be based on the first letter of the name of the issuer (offeree) as set out in the price list dating from its first day of trading:

Jurisdiction shall be assigned to panels as follows:

A to G panel 1,

H to R panel 2,

S to Z panel 3.

(2) In cases covered by § 27b Takeover Act, paragraph 1 above shall apply with the proviso that jurisdiction shall be based on the first letter of the issuer's (offeree's) company name as entered in the company register as at 1 February of any given year. If it is not possible to determine which panel has jurisdiction based on a new entry in the company register as set out in the preceding sentence, jurisdiction shall, until the requirements set out in the preceding sentence have been met, be based on the first letter of the company name as initially entered in the company register.

(3) Should it be impossible to determine panel jurisdiction under the preceding rules, and provided the decision in such case is incumbent on a panel, panel 1 shall be deemed to have jurisdiction.

§ 4. If Martin Winner, the chairperson of the Takeover Commission, is biased or unable to attend, Josef Aicher shall act as his deputy. Should Josef Aicher likewise be biased or unable to attend, Winfried Braumann shall be his deputy.

§ 5 This assignment of areas of responsibility shall enter into force on 11 January 2014. Jurisdiction assigned to panels in proceedings already pending shall remain unaffected by this amendment to the distribution of areas of responsibility.

On behalf of the General Assembly of the Takeover Commission

Chairman

Winner

Vienna, 7 January 2019