



This is a non-binding convenience translation

**Assignment of areas of responsibility within the Takeover Commission
pursuant to § 28 para 3 Takeover Act i.c.w. § 15 para 3 Internal Rules of Procedure**

§ 1. 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	Bydlinski	Artmann	Braumann		
Member from the judiciary	Kuras	Primus	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	Artmann	Braumann	Bydlinski		
Member from judiciary	Primus	Wittmann-Tiwald	Kuras		
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	Bydlinski	Artmann		
Member from judiciary	Wittmann-Tiwald	Kuras	Primus		
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 Federal Economic Chamber

³ Member proposed by the Austrian Federal Chamber of Labour

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

(4) 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.

§ 3. If an appeal has been filed against decisions of the Takeover Commission and a higher authority reverses the decision and remits the matter back, the proceeding shall be conducted and decided on the merits by the same panel which made the decision. The panel shall decide in the same personnel composition, provided that the members are still members of the Takeover Commission and not unable to attend or biased.

§ 4. If Winfried Braumann, the chairperson of the Takeover Commission, is biased or unable to attend, Sonja Bydlinski shall act as his deputy. Should Sonja Bydlinski likewise be biased or unable to attend, Eveline Artmann shall be her deputy.

§ 5. This assignment of areas of responsibility shall enter into force on 8 January 2024. 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
Braumann

Vienna, 8 January 2024