

FMA • FINANCIAL MARKETS SUPERVISION

Oberbank Aktiengesellschaft
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4020 Linz

Bank Supervision

Ref. 23 5108/46 - FMA -I/2/02

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DVR: 0937487

(Square seal [partially legible]:

Received 24 October 2002)

Notice

Further to the application received on 31 July 2002, it is [hereby] determined pursuant to § 7 *E-Geldgesetz* (e-money act), *BGBl 45/2002*, that Oberbank Aktiengesellschaft is authorized to issue electronic money (e-money business) in accordance with § 1 Abs 1 Z 20 *Bankwesengesetz* (banking act), *BGBl 532/1993*, as amended.

The scope of the licence granted to Oberbank Aktiengesellschaft is declared to be as follows:

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| § 1 Abs. 1 Z 1 Bankwesengesetz: | The accepting of third-party funds for management or as deposits (deposit business); |
| § 1 Abs. 1 Z 2 Bankwesengesetz: | The carrying out of cashless payment transactions and clearinghouse operations on a current-account basis for others (giro business); |
| § 1 Abs. 1 Z 3 Bankwesengesetz: | The conclusion of monetary credit agreements and the granting of money loans (credit business); |
| § 1 Abs. 1 Z 4 Bankwesengesetz: | The purchasing of cheques and bills, including in particular the discounting of bills (discount business); |
| § 1 Abs. 1 Z 5 Bankwesengesetz: | The safekeeping and management of securities for others (custodianship business); |

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- § Abs. 1 Z 6 Bankwesengesetz:** The issuing and administration of means of payment such as credit cards and traveller cheques;
- § 1 Abs. 1 Z 7 Bankwesengesetz:** Trading for its own account or for the account of others in
- a) foreign means of payment (foreign exchange and foreign notes and coin business);
 - b) money-market instruments;
 - c) financial futures inclusive of equivalent cash instruments and call and put options on the instruments named in letters *a)* and *d)* through *f)* inclusive of equivalent cash instruments (futures and options business);
 - d) interest rate futures, forward rate agreements, interest rate and foreign exchange swaps and swaps on underlyings and equity indices (“equity swaps”);
 - e) securities (securities business);
 - f) instruments inferred from letters *b)* through *e)* insofar as trading does not take place for the account of personal assets;
- § 1 Abs. 1 Z 8 Bankwesengesetz:** The assumption of sureties, guarantees and other liabilities for others insofar as the assumed obligation is a pecuniary obligation (guarantee business);
- § 1 Abs. 1 Z 9 Bankwesengesetz:** The issuing of consolidated bank bonds as investments in the profits from other banking business (securities issuing business);
- § 1 Abs. 1 Z 10 Bankwesengesetz:** The issuing of other fixed-interest securities as investments in the profits from other banking business (other securities issuing business);

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- § 1 Abs. 1 Z 11 Bankwesengesetz:** Participation in third-party issues of one or more of the instruments named in Z 7 letters *b)* through *f)* and the rendering of the associated services (loro issuing business);
- § 1 Abs. 1 Z 15 Bankwesengesetz:** The transaction of financing business by acquiring and reselling equity interests (capital funding business);
- § 1 Abs. 1 Z 16 Bankwesengesetz:** The purchasing of debts arising from supplies of goods or services and the assumption of the collection risks associated with such debts – with the exception of credit insurance – and in that connection the collection of such debts (factoring business);
- § 1 Abs. 1 Z 17 Bankwesengesetz:** The transaction of money broker business in the interbank market;
- § 1 Abs. 1 Z 18 Bankwesengesetz:** The brokering of business within the scope of
- a) Z 1, except business transacted by contract insurance companies;
 - b) Z 3, except the arrangement of mortgage and personal loans within the scope of the real estate agency trade or within the scope of the arrangement of personal loans, mortgage loans and financial consultancy services;
 - c) Z 7 letter *a)*, insofar as it is foreign exchange business;
 - d) Z 8;
- § 1 Abs. 1 Z 20 Bankwesengesetz:** The issuing of electronic money (e-money business).

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Instructions Regarding the Right of Appeal

There is no ordinary right of appeal against this Notice.

Note

However, you are entitled within six weeks of service of this Notice to lodge an appeal against this Notice with the higher administrative court (*Verwaltungsgerichtshof*) and/or the constitutional court (*Verfassungsgerichtshof*). The appeal must be signed by a lawyer. Upon lodging an appeal, a fee of €180.00 is payable by way of payment into an appropriate account of the tax office for fees and transaction taxes (*Finanzamt für Gebühren und Verkehrssteuern*) in Vienna using a payment slip and stating the purpose of the payment. The proof of payment by payment slip as certified by the post office must be included with the submission.

21 October 2002

Financial Markets Supervision Authority

(*Finanzmarktaufsichtsbehörde*)

On behalf of the Management Board

(Signed)
Mag. Riemer (AL)

(Signed)
Mag. Neubauer