

EANS-Adhoc: ANDRITZ AG / Decision regarding the review procedure pursuant to Section 33 of the Austrian Takeover Act

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On March 25, 2015, the Austrian Takeover Commission notified ANDRITZ AG of the decision regarding the review procedure pursuant to Section 33 of the Austrian Takeover Act. The object of the procedure was to review whether there was wrongfully no mandatory takeover offer submitted (Section 22 et seq. of the Austrian Takeover Act) in connection with the reorganization measures implemented by the core shareholders of ANDRITZ AG in August 2014, particularly by Custos Privatstiftung and Certus Beteiligungs-GmbH, and in connection with re-transition of a securities loan for ANDRITZ AG shares existing since 2004.

The Takeover Commission stated that there is no infringement regarding the mandatory takeover offer obligation, thus no mandatory takeover offer must be submitted. With a few exceptions, Custos Privatstiftung is allowed to exercise the voting rights it has been attributed between 26% and 30% at least until June 30, 2018.

Further inquiry note:

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