

2016-05-10 Report No. 21/2016: Registration of amendments to the ING Bank Śląski S.A. Charter.

The Management Board of ING Bank Śląski S.A. hereby give notice that on 9 May 2016, the District Court for Katowice-Wschód in Katowice, 8th Commercial Division of the National Court Register, recorded the amendments to the Bank Charter as passed under Resolution No. 26 of the General Meeting on 31 March 2016.

The registered amendments to the Charter include:

1. In §8 section 3.3a) in the last sentence thereof the word “only” shall be deleted and, at the end of the sentence, a comma shall put after the phrase “Toll Motorways and the National Road Fund Act of 27 October 1994” and the following wording shall be added: “however, the activities referred to in item b) may also concern the following instruments admitted to organised trading: bonds, mortgage bonds and other transferable securities incorporating property rights equivalent to the rights attached to the debt or derivatives based on bonds, mortgage bonds, other transferable securities incorporating property rights equivalent to the rights attached to the debt, interest rate or currency as their underlying instrument”, and as a consequence §8 section 3.3a shall have the following wording:
“3a) performing activities other than brokerage activity, such as:
 - a) accepting and transmitting orders to purchase or sell financial instruments;
 - b) acquiring or selling financial instruments on own account;
 - c) investment advising;
 - d) offering financial instruments; and
 - e) providing services in performance of previously concluded agreements on stand-by underwriting and firm commitment underwriting or in conclusion and performance of other agreements of similar nature concerning financial instruments, provided that the activities referred to in items a) to d) may concern securities issued by the State Treasury or the National Bank of Poland or other financial instruments that have not been admitted to organised trading, as well as bonds referred to in Article 39p section 1 of the Toll Motorways and the National Road Fund Act of 27 October 1994; however, the activities referred to in item b) may also concern the following instruments admitted to organised trading: bonds, mortgage bonds and other transferable securities incorporating property rights equivalent to the rights attached to the debt or derivatives based on bonds, mortgage bonds, other transferable securities incorporating property rights equivalent to the rights attached to the debt, interest rate or currency as their underlying instrument,”
2. In §8 section 3.11), item h) shall be added in the following wording:
“h) providing services of reporting to trade repositories and services relating to direct or indirect clearing of financial instruments by central counterparties (CCP) within the meaning of Regulation (EU) No. 648/2012 of the European Parliament and of the Council on OTC derivatives, central counterparties and trade repositories;”
3. In §8 section 3, item 13) shall be added in the following wording:
“13) maintenance of share registers.”
4. In §8, the existing section 6 shall be changed to section 7, and a new section 6 shall be added in the following wording:
“6. The Bank may perform activities, as set out in Article 13 section 5.3 and section 10 of the Child Subsidy Act of 11 February 2016”.

Information about the adopted resolution was published in Current Report No. 13/2016 of 31 March 2016 in the part concerning Resolution No. 26 of the Ordinary General Meeting.

Under the binding law, the changes referred to in items 1-3 hereinabove were approved by the Polish Financial Supervision Authority. The change referred to in item 4 did not require the PFSA approval.

Legal grounds: §38 section 1 item 2) of the Minister of Finance Regulation of 19 February 2009 on current and interim information provided by securities issuers and conditions for recognising as equivalent the information required by law of a non-Member State (Journal of Laws from 2014, item 133).