

MOTION TO APPROVE A SPECIAL AUDIT

The Annual General Meeting is hereby asked to approve the following motion:

In accordance with § 118 (new: § 130) of the Austrian Stock Corporation Act, a special audit shall be conducted to determine the following: whether the project organisation and direction installed by management for the realisation of the Skylink project were appropriate to meet the demands of this project at the given time; whether the project was accordingly managed; the extent of cost and scheduling overruns and the causes of these overruns; whether the development of these costs was reported to the Supervisory Board correctly and in a timely manner; and whether the project organisation is adequate to handle the future realisation of the project.

This audit shall also cover third parties responsible for realisation of the project (e.g. consultants).

LKC Kemper – Czarske - v. Gronau – Berz, Forstweg 8, D-82031 Grünwald near Munich shall be appointed as the special auditor. Mr. Kandler and Mr. Jöchel shall be commissioned and authorised to conclude an agreement with the special auditor under Austrian law on behalf of the company for this engagement on the basis of the indicative offer submitted by the auditor. This agreement shall include the definition of a maximum fee as well as a time limit not exceeding three months from the date the commission is awarded for the submission of a written report. The commissioning of subcontractors, e.g. attorneys, construction experts etc., shall require the express prior consent of the above-mentioned authorised persons. Furthermore, the agreement shall permit the company to terminate the special audit prematurely if the Austrian Constitutional Court should decide, prior to the completion of the audit, that the company is subject to the control of the Austrian Federal Audit Office.