

## **Declaration of Conformity in accordance with section 161 of the German Public Companies Act**

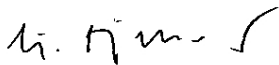
The Managing Board and the Supervisory Board of AUGUSTA Technologie AG hereby declare in accordance with section 161 of the AktG:

In fiscal year 2006, AUGUSTA Technologie AG was in compliance with the recommendations made by the Government Commission on the German Corporate Governance Code, with the exception of the following limited number of recommendations:

1. **Section 2.2.2:** In compliance with the resolutions of the General Meeting, Article 5(6) to (9) of the Articles of Association of AUGUSTA Technologie AG governs the issue of new bearer shares from authorized capital and contingent capital. The Managing Board is authorized, with the consent of the Supervisory Board, to disapply pre-emptive rights insofar as the conditions laid down in the above Article of the Articles of Association are met. AUGUSTA Technologie AG issued new shares in fiscal year 2005 as part of an exchange offer. Existing shareholders' pre-emptive rights were disapplied in this case.
2. **Section 2.3.4:** As a matter of principle, AUGUSTA is in favor of broadcasting the General Meeting via Internet. At the same time, however, the Company aims to find a cost-efficient broadcasting solution. In keeping with these goals, AUGUSTA guarantees that key topics, and in particular the speech of the Chairman of the Managing Board, will be made available after the fact.
3. **Section 3.8:** The directors & officers' liability insurance (D&O insurance) taken out by AUGUSTA Technologie AG for the entire Group does not include a deductible for Managing Board and Supervisory Board members. As a matter of principle, AUGUSTA Technologie AG is not of the opinion that the recommended deductible would improve the responsibility with which the members of the Managing Board and the Supervisory Board fulfill their obligations. AUGUSTA Technologie AG's Corporate Governance principles therefore do not require any deductible for executive bodies, and the Company does not intend to make any amendments to its current D&O insurance policies.
4. **Section 4.2.1:** The Managing Board of AUGUSTA Technologie AG consisted of two persons up to February 28, 2006. Since March 1, 2006 the Managing Board only consists of one member. The extension of the board by a further member is planned.
5. **Section 4.2.4:** AUGUSTA Technologie AG will disclose individual Managing Board members' compensation as recommended by the Code from the annual report 2006 onwards.
6. **Section 5.2 and 5.3:** Since it has only three members, AUGUSTA Technologie AG's Supervisory Board does not consider it necessary to establish committees. In particular, the Supervisory Board is of the opinion that the establishment of committees would unnecessarily complicate the Board's work, given its small number of members.

7. **Section 5.4.7:** AUGUSTA discloses the individual compensation of the individual Supervisory Board members in the annual report 2006 for the first time.
8. **Section 6.6:** AUGUSTA Technologie AG discloses the individual direct shareholdings of its executive bodies in the Notes to the Consolidated Financial Statements. The direct shareholdings of all members of executive bodies are disclosed even where they represent less than 1% of the Company's share capital in issue. In addition, AUGUSTA publishes all of the directors' dealings of its executive body members, even if the reporting limit of EUR 5,000 in a calendar year has not been reached.

Frankfurt am Main, July 2006

A handwritten signature in black ink, appearing to read "U. Zimmer".

Udo Zimmer  
CFO

A handwritten signature in black ink, appearing to read "Heinzwerner Feusser".

Heinzwerner Feusser  
Chairman of the Supervisory Board