

Declaration of Conformity Pursuant to Section 161 Aktiengesetz (German Public Companies Act)

The Executive Board and Supervisory Board of AUGUSTA Technologie AG hereby declare, pursuant to Section 161 AktG (German Public Companies Act):

In the fiscal year 2008, AUGUSTA Technologie AG has so far been in compliance with the recommendations made by the Government Commission on the German Corporate Governance Code, with the exception of the following few recommendations and will in future remain in compliance:

1. Section 2.2.2: Based on the resolutions of the General Meeting, the Articles of Association of AUGUSTA Technologie AG provide in § 5 (6) to (8) for the issue of new bearer shares from authorized capital and contingent capital. Subject to the approval of the Supervisory Board, the Executive Board may exclude the preemptive rights of the shareholders in case the framework conditions outlined in the said section of the Articles of Association are met.
2. 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 personal deductible for Executive Board and Supervisory Board members. As a matter of principle, AUGUSTA Technologie AG is not of the opinion that the responsibility with which the members of the Executive Board and the Supervisory Board of AUGUSTA Technologie AG fulfill their obligations could be improved by such a deductible. Consequently, the corporate governance principles of AUGUSTA Technologie AG do not provide for any deductible and AUGUSTA Technologie AG does not plan any changes to its current D&O insurance agreement.
3. Section 4.2.3 (4) & (5): The recommendation on a severance payment cap in the event of premature termination of Executive Board activities refers to newly concluded Executive Board agreements and is consequently not currently relevant for AUGUSTA. If a new agreement should come about, the responsible committee of the Supervisory Board of AUGUSTA will examine the implementation of the recommendation.
4. Section 5.2 and 5.3: Since it has only three members, the Supervisory Board of AUGUSTA Technologie AG does not consider it necessary to establish committees. The Supervisory Board in particular takes the view that, given this number of members, the work of the body would be unnecessarily impeded by the formation of committees.
5. Section 7.1.2: The Executive Board of AUGUSTA Technologie AG does not comply with the recommendation to discuss its half-yearly and any quarterly financial reports with the Supervisory Board or its auditing committee prior to publication. The Executive Board of AUGUSTA adheres rather to its proven principle of continuously informing the Supervisory Board of the development of the company through a very detailed information system and only discussing financial reports involving periods under twelve months in detail with the Supervisory Board when their contents provide well-grounded reasons for this, especially if a financial report deviates significantly and in an unforeseeable manner from expectations.

Munich, December 15, 2008



Amnon Harman
Chairman of the Executive Board



Berth Hausmann
Chief Financial Officer



Heinzwerner Feusser
Chairman of the Supervisory Board: