

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):

The recommendations of the "Government Commission on the German Corporate Governance Code" (as amended on 6 June 2008) announced by the German Federal Ministry of Justice in the official section of the Electronic Federal Gazette (*elektronischer Bundesanzeiger*) have been complied with since the submission of the last declaration of conformity dated 15 December 2008, and are being complied with in the version dated 18 June 2009 with the following exceptions:

1. Section 3.8 (2): No deductible for D & O insurance

The liability insurance (so-called Directors & Officers' Liability Insurance – D & O insurance) taken out by AUGUSTA Technologie AG for the entire Group did not include a deductible for D & O insurance. A deductible does not appear appropriate for further increasing the motivation of members of the Executive Board and the Supervisory Board of AUGUSTA Technologie AG and further raising their awareness of the responsibility with which they carry out their duties. We shall also maintain this position in the future, unless the agreement of an excess is prescribed by law.

2. Section 7.1.2 Sentence 2: No discussion of half-year and quarterly financial reports with the Management Board by the Supervisory Board

The Executive Board and Supervisory Board of AUGUSTA Technologie AG have not and will not comply with the recommendation to discuss half-year and any quarterly financial reports prior to publication. An obligation to discuss these financial reports without a concrete reason does not appear expedient. The Executive Board of AUGUSTA has and will instead adhere 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 during the period 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 14, 2009



Amnon Harman
Chief Executive Officer



Berth Hausmann
Chief Financial Officer



Heinzwerner Feusser
Chairman of the Supervisory Board