

This document is for instructional purposes to assist in the compensation payment process.

**Instruction of payment of compensation from the Investor Compensation Scheme
made by Krajowy Depozyt Papierów Wartościowych S.A.
to investors who are clients of FIRST INTERNATIONAL TRADERS DOM MAKLESKI S.A.**

**Chapter I
General**

**§ 1
Definitions**

Whenever the Instruction of payment of compensation from the Investor Compensation Scheme made by Krajowy Depozyt Papierów Wartościowych S.A. to investors who are clients of FIRST INTERNATIONAL TRADERS DOM MAKLESKI S.A. (“Instruction”) herein refers to:

- 1) Act – this shall be understood to mean the Act on trading in financial instruments of 29 July 2005 (i.e., Official Journal of 2014, item 94, as amended);
- 2) KDPW – this shall be understood to mean Krajowy Depozyt Papierów Wartościowych S.A.;
- 3) FIT DM – this shall be understood to mean the company First International Traders Dom Maklerski S.A. with its registered office in Warsaw;
- 4) investor list – this shall be understood to mean a list of investors who are clients of FIT DM eligible to receive compensation from the Investor Compensation Scheme as at 8 January 2015;
- 5) investor – this shall be understood to mean an investor within the meaning of Article 132(1)(1) of the Act, designated by FIT DM in the investor list;
- 6) corporate entities – this shall be understood to mean also organisational units without legal personality, provided that that have legal capacity, and entrepreneurs who are natural persons pursuing business activities;
- 7) non-resident – this shall be understood to mean a natural person with a domicile abroad and a corporate entity with a place of establishment abroad;
- 8) compensation payment order – this shall be understood to mean an order submitted to KDPW by an investor (or other eligible person) to pay compensation, given in writing in an order form attached in the Appendix hereto or other document containing the data specified in the Appendix.

Chapter II
Compensation payment procedure

§ 2

Investors and other persons eligible to receive compensation

KDPW shall pay compensation on the terms laid down in the Instruction to:

- 1) investors;
- 2) plenipotentiaries or statutory representatives of investors;
- 3) legal successors of investors, including heirs.

§ 3

Payment of compensation on or before 29 April 2016

1. Compensation shall be paid by KDPW from 15 February 2016 to 29 April 2016 (inclusive).
2. Compensation shall be paid on the last day of the period specified in point 1 (i.e., on 29 April 2016) if an order to pay compensation is submitted to KDPW according to the Instruction on or before 26 April 2016.
3. Compensation shall be paid:
 - a) by bank transfer to the bank account specified in the order, or
 - b) by postal order to the address specified in the order – for compensation up to and including PLN 5,000.in accordance with the compensation payment instruction
4. KDPW shall submit an order for a bank transfer or postal order no later than within 14 days after the submission of the compensation payment order, subject to § 4(1).
5. KDPW shall pay compensation in the Polish zloty.

§ 4

Compensation payment orders

1. KDPW shall pay compensation upon successful verification of the identity of the investor requesting the payment or the authorisation of the person requesting the payment on behalf of an investor or requesting compensation due to an investor.
2. Compensation payment orders shall be drawn up in Polish or in English.
3. Compensation payment orders shall include the investor's data specified in the form published on the KDPW website (www.kdpw.pl) and, where an order is submitted by an eligible person other than an investor, additionally the data of such person and the legal

title which constitutes the basis for the submission of the compensation payment order by such person. Compensation payment orders may be drawn up in an order form printed out from the KDPW website.

4. Compensation payment orders shall be signed by an investor or other person eligible to submit it. For corporate entities, compensation payment orders shall additionally be stamped with the corporate seal or the individual seal of the person who signs the document.
5. Compensation payment orders may be submitted:
 - 1) in person at the Secretariat of KDPW (from 10:00 to 15:00); or
 - 2) by post to the address of KDPW:

Krajowy Depozyt Papierów Wartościowych S.A.
ul. Książęca 4, 00-498 Warsaw, Poland

6. Where a compensation payment order is submitted in person to KDPW by a person referred to in point 1, the conformity of the personal data of the person requesting the compensation payment and the authenticity of his or her signature in the compensation payment order may be confirmed by a KDPW employee where such person presents a valid identity document.
7. Where a compensation payment order is submitted by post, the conformity of the personal data of the person requesting the compensation payment and the authenticity of his or her signature in the compensation payment order shall be confirmed by a notary public or a head of commune (mayor), subject to point 8.
8. The authenticity of the signature and the conformity of the personal data in a compensation payment order submitted by a non-resident shall only be confirmed by a local notary public or a Polish diplomatic or consular mission.
9. If the authenticity of the signature and the conformity of the personal data in a compensation payment order are confirmed by a notary public or a head of commune (mayor), the person providing such confirmation shall evidence it by marking the order with a clause according to the template presented in the compensation payment order form published on the KDPW website (the wording of the clause is presented in the box "Confirmation of the authenticity of the signature of the person submitting the payment order").

10. The following shall be attached to a compensation payment order:

- 1) where the order is submitted by a plenipotentiary – the original counterpart of the special power of attorney to submit the compensation payment order and to specify the bank account number referred to in § 3(3)(a) or the address referred to in § 3(3)(b), including authentication of the investor’s signature, family name, first (middle) name, PESEL number by a notary public;
- 2) where the order is submitted by a legal successor – the original counterpart of the document confirming the legal succession or a copy authenticated according to point 11;
- 3) where the order is submitted by an heir:
 - a) the original counterpart of the legally valid court decision ascertaining the inheritance acquisition or the succession confirmation deed registered by a notary public, or a copy authenticated according to point 11;
 - b) the original counterpart of the legally valid court decision ascertaining inheritance division or the inheritance division agreement or partial division agreement including the compensation, or a copy authenticated according to point 11; however, where the inheritance includes real estate, the agreement should be drawn up in a notary deed;
- 4) in instances referred to in Article 140(7) of the Act - the original legally valid court decision ascertaining the investor’s right to receive compensation and its amount, or an official copy or copy authenticated by a notary public as a true copy –.

11. Copies of the documents referred to in point 10(2)-(3) shall be authenticated by the authority which issues the document, a notary public or a head commune (mayor), subject to point 12.

12. For documents referred to in point 10(2)-(3), submitted by non-residents, a duly authenticated copy of a document shall only mean a copy authenticated as a true copy by a local notary public or a Polish diplomatic or consular mission.

13. Documents attached to a compensation payment order, originally drawn up in a foreign language, shall be submitted in translation into Polish, prepared and authenticated by a sworn translator.

§ 5

Verification of eligibility for compensation

1. Subject to point 2, compensation shall be paid after the data of an investor designated in the investor list is ascertained to conform to the data specified in the compensation payment order.
2. Where a compensation payment order is submitted by a person other than an investor, compensation shall be paid after the data of an investor are ascertained as per point 1 and the person's authorisation to submit the order or receive the compensation is confirmed.

Chapter III
Compensation payment procedure
in the event of unsuccessful verification of eligibility for compensation

§ 6

Suspension of compensation payment in the event of incomplete, illegible or non-conformant data and incorrect indication of the compensation payment mode

1. If data contained in a compensation payment order are illegible, incomplete or non-conformant to the data specified in the investor list, KDPW shall suspend the payment of compensation until the missing data are provided or the non-conformities are clarified.
2. KDPW shall also suspend the payment of compensation where the amount of compensation due to an investor is more than PLN 5,000 and the compensation payment order specifies postal order as the mode of payment of the compensation.
3. In cases referred to in points 1 or 2, KDPW shall notify the person requesting compensation of the suspension of the compensation payment and its reasons.
4. Compensation shall be paid within 7 days after the day when the missing data are provided or the non-conformities are clarified.

§ 7

Suspension of compensation payment in the absence of eligibility to submit a compensation payment order or legal basis to receive compensation

1. In the absence of documents confirming eligibility to submit a compensation payment order by a person other than an investor or documents confirming the legal basis to receive compensation by a person other than an investor, KDPW shall suspend the payment of compensation until the missing documents are provided or the non-conformities are clarified.
2. The provisions of § 6(3)-(4) shall apply accordingly.

§ 8

Investors missing from the investor list

Where an investor's data are missing from the investor list, the investor may raise claims against KDPW to pay compensation according to Article 140(7) of the Act. In that case, a legally valid court decision ascertaining the investor's right to receive compensation and its amount shall be the only basis for the payment of compensation.

Chapter IV

Compensation payment after 29 April 2016 and limitation of claims for compensation

§ 9

1. Claims for compensation shall expire five years after the date of the event which is the basis for the payment of compensation (i.e., as of 31 December 2020).
2. Compensation shall be paid after the date specified in § 3(1) until the date specified in point 1 only by bank transfer to the bank account specified in the compensation payment order.

Contact details:

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ul. Książęca 4, 00-498 Warsaw, Poland
Tel. (+48) 22 537 9383
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Enclosures:

- 1) Compensation payment instruction form for an investor who is a client of First International Traders Dom Maklerski S.A. (natural person)
- 2) Compensation payment instruction form for an investor who is a client of First International Traders Dom Maklerski S.A. (corporate entity)