



## **Explanations regarding agenda item No. 1 in accordance with § 124a sentence 1 No. 2 of the German Stock Corporation Act (AktG)**

On March 22, 2013, the Supervisory Board approved the annual financial statements and the consolidated financial statements compiled by the Management Board for the fiscal year ending December 31, 2012 and thereby adopted the annual financial statements. Thus, pursuant to § 173 AktG, the General Meeting does not need to adopt the annual financial statements or approve the consolidated financial statements. The annual financial statements, the consolidated financial statements, the combined management report for the Company and the Group and the report of the Supervisory Board are in fact - just as the Management Board's explanations on the disclosures pursuant to §§ 289 paras. 4 and 5, 315 paras. 4 and 2 No. 5 of the German Commercial Code (HGB) - to be made accessible at the General Meeting without first requiring a resolution to be passed in accordance with the German Stock Corporation Act.