

Current report no. 59/2009

Date: 2009-10-28

Subject: Court registration of amendments to the Articles of Association of Energomontaż-Południe S.A.

Legal grounds: Article 56, section 1, point 2 of the Act on the Offer – current and periodical information

Acting pursuant to § 38, section 1, point 2 of the Decree of the Minister of Finance of 19th February 2009 concerning current and periodical information [...], the Management Board of Energomontaż-Południe S.A. (Company, Issuer) hereby announces that on 27th October 2009, the Company received the decision of the District Court for Eastern Katowice in Katowice, 8th Economic Department of the National Court Register, of 26th October 2009 regarding various issues including registration of the amendments to the Articles of Association introduced at the Extraordinary Meeting of the Company Shareholders commenced on 4th September and resumed after the adjournment on 22nd September this year.

In relation to the foregoing, the Management Board hereby provides the formerly applicable provisions of the Articles of Association as well as the contents of the relevant amendments thereto.

At the same time, the Company Management Board reports that the uniform text of the Articles of Association has been published in current report no. 57/2009 of 8th October 2009.

SIGNATURES OF THE PERSONS REPRESENTING THE COMPANY

Andrzej Hołda
Alina Sowa

President of the Management Board
Vice President of the Management Board

**Formerly applicable provisions of the Articles of Association and contents of the amendments
thereto**

1. Former wording:

„§ 6

The Company's business involves:

1. Construction site preparation (45.1).
2. Disassembly and demolition of construction facilities; earth works (45.11.Z).
3. Test drilling and boring for geological and engineering purposes (45.12.Z).
4. General construction of buildings and civil engineering works (45.21.A).
5. General construction works related to mining and production facilities (45.21.E)
6. Erection of roof cladding and frames (45.22.Z).
7. Construction of motorways, roads, airfields and sports facilities (45.23).
8. Construction of water projects (45.24).
9. Foundation works (45.25.B).
10. Erection of steel structures (45.25.C).
11. Masonry (45.25.D).
12. Installation of electrical wiring and fittings in buildings and facilities (45.31.A).
13. Other installation of electrical wiring and fittings (45.31.D).
14. Central heating and air conditioning installation (45.33.A).
15. Plumbing (45.33.B).
16. Gas installation (45.33.C).
17. Other building installation (45.34.Z).
18. Plastering (45.41.Z).
19. Joinery installation (45.42.Z).
20. Floor and wall covering (45.43.Z).
21. Painting and glazing (45.44.Z).
22. Painting (45.44.A).
23. Glazing (45.44.B).
24. Other building finishing works (45.45.Z).
25. Technical testing and analysis (74.30.Z).
26. Installing, repairing and maintenance of electrical equipment, not elsewhere classified (31.62.B).
27. Installing, repairing and maintenance of special-purpose machinery (29.56.B).
28. Renting of construction and demolition equipment with an operator (45.50.Z).
29. Wholesale of construction materials and sanitary equipment (51.53.B).
30. Retail sale of automotive fuel (50.50.Z).
31. Insulation work activities (45.32.Z).
32. Construction work involving special trades (45.25).
33. Heating, water, air conditioning and gas installation (45.33).
34. Electrical installation (45.31).
35. Construction, architectural and engineering activities (74.20.A).
36. Manufacture of metal structures and parts of the structures (28.11).
37. Treatment and coating of metals (28.51.Z).
38. General mechanical engineering (28.52.Z).
39. Buying and selling of own real estate (70.12.Z).
40. Renting of construction and civil engineering machinery and equipment (71.32.Z).
41. Credit-granting outside the banking system (65.22.Z).
42. Manufacture of metal prefabricated buildings excluding service-rendering (28.11.A).
43. Manufacture of metal structures excluding service-rendering (28.11.B).

44. Installation of metal structures (28.11.C).
45. Manufacture of tanks, reservoirs and metal containers (28.21.Z).
46. Manufacture of central heating radiators and boilers (28.22.Z).
47. Manufacture of steam generators (28.30.A).
48. Installation, repair and maintenance of steam generators excluding central heating hot water boilers (28.30.B).
49. Installation, repair and maintenance of engines and turbines excluding aircraft, vehicle and cycle engines (29.11.B).
50. Installation, repair and maintenance of general-purpose machinery, not elsewhere classified (29.24.B).
51. Building of complete constructions or their parts; civil engineering works (45.2).
52. General construction of bridges (45.21.B).
53. Scaffolding (45.25.A).
54. Installation of electrical signalling installation (45.31.B).
55. Labour recruitment and provision of personnel (74.50).
56. General construction of buildings and civil engineering works, not elsewhere classified (45.21.F).
57. General construction of lines: pipelines, power lines, electrical tractions and telecommunications lines (45.21.C).
58. General construction works of buildings and facilities made of prefabricated elements (45.21.G).
59. Installation of passenger lifts, freight lifts and escalators (45.31.C).
60. Floor and wall covering (45.43).
61. Other wholesale (51.90.Z).
62. Maintenance and repair of motor vehicles (50.20.A).
63. Other business activities, not elsewhere classified (74.87.B).
64. Distribution of and trade in electricity (40.13.Z).
65. Other short-time accommodation, not elsewhere classified (55.23.Z).
66. Other eating places (55.30.B).
67. Other non-store retail sale (52.63).
68. Installation, repair and maintenance of machinery for mining, quarrying and construction (29.52.B).
69. Adult education and other education, not elsewhere classified (80.42).
70. General construction of distributing lines: pipelines, power lines, electrical tractions and telecommunications lines (45.21.C).
71. Other financial intermediation, not elsewhere classified (65.23.Z).
72. Hotels (55.10.Z).
73. Real estate agencies (70.31.Z)."

New wording:

„§ 6

The Company's business involves:

1. Construction site preparation (43.12.Z).
2. Disassembly and demolition of construction facilities (43.11.Z).
3. Test drilling and boring for geological and engineering purposes (43.13.Z).
4. Construction of residential and non-residential buildings (41.20.Z).
5. Construction of other civil engineering projects not elsewhere classified (42.99.Z).
6. Roofing activities (43.91.Z).
7. Other specialised construction activities not elsewhere classified (43.99.Z).
8. Construction of roads and motorways (42.11.Z).
9. Construction of railways and underground railways (42.12.Z).
10. Construction of water projects (42.91.Z).
11. Construction of transmission pipelines and distribution networks (42.21.Z).

12. Electrical installation (43.21.Z).
13. Plumbing, heat, gas and air conditioning installation (43.22.Z).
14. Other construction installation (43.29.Z).
15. Plastering (43.31.Z).
16. Joinery installation (43.32.Z).
17. Floor and wall covering (43.33.Z).
18. Painting and glazing (43.34.Z).
19. Other building completion and finishing (43.39.Z).
20. Other technical testing and analysis (71.20.B).
21. Repair and maintenance of electronic and optical equipment (33.13.Z).
22. Repair and maintenance of electrical equipment (33.14.Z).
23. Installation of industrial machinery and equipment (33.20.Z).
24. Repair and maintenance of machinery (33.12.Z).
25. Wholesale of wood, construction materials and sanitary equipment (46.73.Z).
26. Retail sale of automotive fuel in specialised stores (47.30.Z).
27. Architectural activities (71.11.Z).
28. Engineering activities and related technical consultancy (71.12.Z).
29. Manufacture of metal structures and parts of structures (25.11.Z).
30. Repair and maintenance of fabricated metal products (33.11.Z).
31. Treatment and coating of metals (25.61.Z).
32. Machining of metal elements (25.62.Z).
33. Buying and selling of own real estate (68.10.Z).
34. Renting and leasing of construction and civil engineering machinery and equipment (77.32.Z).
35. Renting and leasing of other machinery, equipment and tangible goods, not elsewhere classified (77.39.Z).
36. Other credit granting (64.92.Z).
37. Other financial service activities, except insurance and pension funding not elsewhere classified (64.99.Z).
38. Cold forming or folding (24.33.Z).
39. Manufacture of other tanks, reservoirs and containers of metal (25.29.Z).
40. Manufacture of central heating radiators and boilers (25.21.Z).
41. Manufacture of steam generators, except central heating hot water boilers (25.30.Z).
42. Construction of bridges and tunnels (42.13.Z).
43. Security systems service activities (80.20.Z).
44. Activities of employment placement agencies (78.10.Z).
45. Temporary employment agency activities (78.20.Z).
46. Other human resources provision (78.30.Z).
47. Construction of utility projects for electricity and telecommunications (42.22.Z).
48. Construction of residential and non-residential buildings (41.20.Z).
49. Non-specialised wholesale trade (46.90.Z).
50. Maintenance and repair of motor vehicles, except motorcycles (45.20.Z).
51. Sound recording and music publishing activities (59.20.Z).
52. Other information service activities not elsewhere classified (63.99.Z).
53. Specialised design activities (74.10.Z).
54. Other professional, scientific and technical activities not elsewhere classified (74.90.Z).
55. Distribution of electricity (35.13.Z).
56. Trade of electricity (35.14.Z).
57. Hotels and similar accommodation (55.10.Z).
58. Holiday and other short-stay accommodation (55.20.Z).
59. Other accommodation (55.90.Z).
60. Restaurants and other stationary food activities (56.10.A).

61. Mobile food service activities (56.10.B).
62. Other retail sales not in stores, stalls or markets (47.99.Z).
63. Technology (85.32.A).
64. Other extracurricular education not elsewhere classified (85.59.B).
65. Real estate agencies (68.31.Z).
66. Manufacture of instruments and appliances for measuring, testing and navigation (26.51.Z).
67. Repair and maintenance of other equipment (33.19.Z).
68. Business and other management consultancy activities (70.22.Z).
69. Retail sale of computers, peripheral units and software in specialised stores (47.41.Z).
70. Retail sale of telecommunications equipment in specialised stores (47.42.Z).
71. Retail sale of furniture, lighting equipment and other household articles in specialised stores (47.59.Z).
72. Manufacture of ovens, furnaces and furnace burners (28.21.Z).
73. Treatment and disposal of non-hazardous waste (38.21.Z).
74. Treatment and disposal of hazardous waste (38.22.Z).
75. Remediation activities and other waste management services (39.00.Z).
76. Development of building projects (41.10.Z).
77. Wholesale of metals and metal ores (46.72.Z).
78. Freight transport by road (49.41.Z).
79. Renting and operating of own or leased real estate (68.20.Z).

2. Former wording:

„§ 7

The Company's share capital is PLN 48,390,000.00 (forty eight million three hundred ninety thousand zlotys) and is divided 48,390,000.00 (forty eight million three hundred ninety thousand) bearer shares with a nominal value of PLN 1 (one) each, of which 7,430,000 (seven million four hundred thirty) series A shares; 3,570,000 (three million five hundred seventy thousand) series B shares and 33,000,000 (thirty three million) series C shares and 4,390,000 (four million three hundred ninety thousand) ordinary series D bearer shares."

New wording:

„§ 7

1. The share capital of Energomontaż-Południe S.A. equals PLN 48,390,000.00 (forty eight million three hundred ninety thousand zlotys) and it is divided into 48,390,000 (forty eight million three hundred ninety thousand) ordinary bearer shares of the nominal value of PLN 1 (one zloty) per share, out of which 7,430,000 (seven million four hundred thirty thousand) are series A shares, 3,570,000 (three million five hundred seventy thousand) are series B shares, 33,000,000 (thirty three million) are series C shares and 4,390,000 (four million three hundred ninety thousand) are ordinary series D bearer shares.
2. The Company's conditional share capital is no more than PLN 22,582,001 (in words: twenty two million five hundred eighty two thousand and one zlotys) and it is divided into no more than 22,582,001 (in words: twenty two million five hundred eighty two thousand and one) ordinary series E bearer shares of the nominal value of PLN 1 (in words: one zloty) each. The purpose of the conditional capital increase is to provide the owners of series A subscription warrants, issued by the Company pursuant to resolution no. 2 of the Extraordinary General Meeting of Shareholders of 22 September 2009, with the right to acquire series E shares."