

RULES OF THE SUPERVISORY BOARD OF ENEA S.A.

§ 1

THE BOARD'S POWERS AND RESPONSIBILITIES

1. The Supervisory Board of ENEA S.A., hereinafter referred to as the "Board" or "Supervisory Board", is a corporate body of the Company which exercises ongoing supervision over all areas of its business.
2. The scope of the Board's powers encompasses all the acts and rights set forth in the Company's Statute and the Commercial Company Code.
3. Every year, the Supervisory Board shall submit to the General Meeting its written report for the previous financial year covering the following items in particular:
 - 1) evaluation of the Management Board's report on the activity of the Company and the Group and the Company's standalone financial statements and consolidated financial statements of the Group for the previous financial year for compliance with the ledgers, documents and facts,
 - 2) evaluation of Management Board's motion on the distribution of profit or coverage of loss,
 - 3) evaluation of the Company's situation, in consideration of the adequacy and effectiveness of the Company's internal control systems, risk management, compliance of operations with standards or applicable practices and internal audit,
 - 4) evaluation of the fulfillment by the Management Board of the obligations referred to in Article 380¹ of the Commercial Company Code,
 - 5) evaluation of the method of preparation or submission, to the Supervisory Board by the Management Board, of information, documents, reports or clarifications requested in the manner provided for in Article 382 § 4 of the Commercial Company Code,
 - 6) information on the total fees due from the Company for all audits commissioned by the Supervisory Board during the financial year in the manner specified in § 11 of these Rules,and information on the composition of the Supervisory Board and its committees, summary of the activities of the Supervisory Board and its committees, and other elements referred to in the Best Practice for WSE Listed Companies.
Such report shall be published on the Company's website.
4. The Board reviews and presents opinions on matters to be covered by resolutions of the Company's General Meeting.
5. The Board acts on the basis of the Company's Statute, these Rules, the Commercial Company Code and other applicable provisions of law, taking into account the obligations provided for in the Best Practice for WSE Listed Companies.
6. The Supervisory Board's work is managed by the Chairperson of the Supervisory Board, elected by the General Meeting, who is responsible for the proper organization of the Supervisory Board's work.

§ 2

COMPOSITION OF THE SUPERVISORY BOARD

1. The Supervisory Board consists of 6 (six) to 15 (fifteen) members.
2. Members of the Supervisory Board are appointed, subject to the circumstances provided for in Article 354 § 1 of the Commercial Company Code, by the General Meeting for a joint term of three years.
3. The first meeting of the Supervisory Board of a new term must be convened by a resolution of the General Meeting which has appointed members of the Supervisory Board in question, to be held no later than within one month from the date of that General Meeting. If the meeting has not been convened in such manner, the Supervisory Board meeting shall be deemed to have been convened for the first business day falling after one month after the date of the General Meeting. If the General Meeting fails to convene a Supervisory Board meeting in the manner provided for in this sec. 3, then 3 (three) Supervisory Board members acting jointly shall be entitled to convene a meeting at the Company's registered office before the date referred to in the preceding sentence.
4. At the first meeting, Supervisory Board members shall elect from among themselves the Deputy Chairperson and the Secretary of the Supervisory Board.
5. The Supervisory Board may dismiss the Deputy Chairperson and the Secretary from their functions.
6. The Deputy Chairperson of the Supervisory Board shall exercise the powers of the Supervisory Board Chairperson provided for in the Company's Statute and these Rules in the event of the expiration of the Supervisory Board Chairperson's mandate for any reason, until the function is entrusted to the new Chairperson of the Supervisory Board or during the temporary inability of the Supervisory Board Chairperson to perform his or her duties for any reason.

7. Subject to the absolutely binding provisions of law and the provisions of § 11 of these Rules, the Supervisory Board Chairperson has the exclusive right to represent the Supervisory Board before the Management Board, the General Meeting and any third parties, in particular in respect of:
 - 1) providing decisions and opinions of the Supervisory Board, and
 - 2) submitting demands, motions and requests of an organizational nature on behalf of the Supervisory Board.

§ 3

BASIC PRINCIPLES GOVERNING THE PERFORMANCE OF THE FUNCTION OF A SUPERVISORY BOARD MEMBER

1. While performing their duties, Supervisory Board members should be driven by the interests of the Company.
2. Supervisory Board members should, while performing their duties, act with due care resulting from professional integrity and remain loyal to the Company.
3. If there are justified suspicions that a Supervisory Board member takes actions contrary to the interests of the Company, the Supervisory Board may adopt a resolution stating that such Supervisory Board member is in breach of his or her duties. A resolution stating a breach of duties by a Supervisory Board member shall be submitted to the General Meeting along with a request to take further appropriate action.

§ 4

PRINCIPLES OF CONFIDENTIALITY FOR A SUPERVISORY BOARD MEMBER

1. Supervisory Board members shall keep secret all confidential information and refrain from disclosing any secrets of the Company, in particular, any business, company or trade secrets, shared with them in the course of their activity in the Supervisory Board (hereafter: "Confidential Information"). In the event of the expiration of a Supervisory Board member's mandate, such Supervisory Board member shall promptly return to the Supervisory Board Chairperson all data carriers containing Confidential Information, regardless of their form, or shall destroy such carriers and submit a written statement to the Supervisory Board Chairperson within 14 days from the date of expiration of his or her mandate about the completion of such destruction.
2. If a Supervisory Board member intends to disclose to third parties any Confidential Information, he or she shall notify the Supervisory Board Chairperson of such intention in advance and obtain the written consent of the Chairperson for such disclosure of Confidential Information.
3. A Supervisory Board member may not use information constituting Confidential Information of the Company for his or her own purposes or for third parties' purposes.
4. The Confidential Information referred to in this § 4 may be disclosed only in circumstances specified by the absolutely binding provisions of law.
5. The obligation to maintain confidentiality provided for in this § 4 shall remain in full force and effect also after the expiration of the mandate.

§ 5

CONFLICT OF INTEREST

If there is any conflict of interest between the Company and a Supervisory Board member, his/her spouse, relatives up to the second degree of kinship or any persons with whom he/she has any personal connections, such Supervisory Board member shall promptly inform the Supervisory Board of the conflict of interest and refrain from giving his/her judgment on such matters, including in particular by refraining from taking part in the discussion and from voting on the resolution on the matter in which the conflict of interest has occurred, and may demand that this be recorded in the minutes.

§ 6

CONVENING SUPERVISORY BOARD MEETINGS

1. The Supervisory Board shall hold its meetings no less frequently than once per two months.
2. Subject to the provisions of § 2 sec. 3 of these Rules, Supervisory Board meetings shall be convened by the Supervisory Board Chairperson or Deputy Chairperson.

3. A Supervisory Board meeting shall be convened at the request of the Management Board or any Supervisory Board member.
4. A request to convene a meeting shall be prepared in writing, contain the proposed agenda and be signed by the requesting party.
5. The Supervisory Board Chairperson or Deputy Chairperson shall convene a meeting with the agenda provided along with the request referred to in sec. 4, to be held no later than within two weeks from the date of receipt of such request. The meeting shall be convened via e-mail or in any other manner, subject to the provisions of sec. 8–10.
6. If a meeting of the Supervisory Board is not convened in the manner referred to in sec. 5, the requesting party may convene it on his/her own, stating the date, time, place and proposed agenda.
7. The convening of a meeting of the Supervisory Board requires a written invitation to all Supervisory Board Members at least 7 days prior to the meeting of the Supervisory Board. The Supervisory Board Chairperson or Deputy Chairperson may shorten such time limit to 2 days for important reasons and determine the invitation delivery method.
8. In the invitation to a meeting of the Supervisory Board, the Supervisory Board Chairperson or Deputy Chairperson shall specify the date and time of the Supervisory Board meeting, the place of the meeting, a detailed draft of the agenda and the method of using means of direct remote communication during the meeting. Materials concerning the matters included in the agenda of the Supervisory Board meeting shall be sent along with the invitation.
9. Meetings of the Supervisory Board may also be held without formal convocation if all Supervisory Board members are present, consent to the holding of the meeting and do not object to the inclusion of particular matters in the agenda.
10. Meetings of the Supervisory Board may also be held without formal convocation, even if not all its members are present, provided that prior to the opening of the meeting all Board members have sent to the Chairperson by electronic mail (or by other means) a confirmation that they consent to the holding of the meeting and do not object to the inclusion of particular matters in the agenda within the specified time limit.
11. The Supervisory Board shall not be required to consider or debate motions submitted to the Board in a manner other than that provided for in the provisions of sec. 4 and 6 or anonymous documents or documents not containing the signature of the requesting party.

§ 7 SUPERVISORY BOARD MEETINGS

1. Meetings of the Board are conducted by the Chairperson of the Supervisory Board or, in his/her absence, by the Deputy Chairperson or another Supervisory Board Member selected at the meeting.
2. The Supervisory Board Chairperson or, in his or her absence, the Deputy Chairperson or any other Supervisory Board member chairing the meeting shall ensure the efficient and proper conduct of the Supervisory Board meeting, in accordance with the adopted agenda, legal regulations, the Statute and these Rules, and, in particular, shall have the exclusive right to:
 - 1) open, conduct and close meetings of the Supervisory Board,
 - 2) give the floor to and take the floor away from Supervisory Board Members,
 - 3) issue standing orders,
 - 4) order voting, ensure that it is held properly and announce its outcome,
 - 5) resolve procedural issues,
 - 6) order recess in meetings of the Supervisory Board,
 - 7) give instructions to the minute-taker at the Supervisory Board meeting,
 - 8) distribute written resolutions of the Supervisory Board,
 - 9) take any other actions required for an efficient operation of the Supervisory Board.
3. During the meeting, the Supervisory Board may also adopt resolutions on matters not included in the proposed agenda if none of the Supervisory Board members participating in the meeting objects to such resolution.
4. A matter not included in the agenda shall be included in the agenda of the next meeting.
5. Only Supervisory Board members have the right to vote.
6. Supervisory Board members exercise their rights and perform their obligations only in person.
7. A Supervisory Board Member is required to participate in Supervisory Board meetings. A Supervisory Board Member presents the reasons for his/her absence in writing, such form also including the sending of information via e-mail. Excusing the absence of a Supervisory Board member shall require a resolution of the Supervisory Board.

8. The Supervisory Board Chairperson may adjourn a Supervisory Board meeting for important reasons and set the resumption of the Supervisory Board meeting for a later time or another day.
9. When considering each tabled matter, the Supervisory Board members shall have the right to evaluate draft resolutions by way of a discussion or put forward amendments to them. Such discussion shall be held in accordance with the following rules:
 - 1) a Supervisory Board Member may take the floor exclusively in matters included in the agenda and as regards the currently considered item on the agenda,
 - 2) when considering each issue on the agenda, depending on its subject, the Chairperson may set a time limit per each speaker, however it should be a rule that the Chairperson guarantees the same amount of time for each speaker,
 - 3) The Chairperson may reprimand a speaker who diverges from the topic, exceeds the permitted time limit or makes prohibited utterances,
 - 4) The Chairperson has the right to take the floor away from speakers who fail to abide by the Chairperson's instructions or who take the floor in breach of these Rules,
 - 5) The Chairperson decides on termination of the discussion after hearing the Supervisory Board Members who have requested to speak.
10. The Supervisory Board performs its duties as a collective body. However, the Supervisory Board may second its individual members to perform specific oversight functions independently for a specified time.
11. Supervisory Board members seconded to permanently perform oversight functions individually may receive additional remuneration the amount of which shall be determined by the General Meeting.
12. No Supervisory Board member seconded to permanently perform oversight functions individually may, without the Company's consent, be engaged in any competitive business or participate in a competitive company as a partner in a civil law company or partnership or as a member of a corporate body of a commercial company or participate in any other competitive legal person as a member of its corporate body. This prohibition also applies to participation in a competitive commercial company if the Supervisory Board member holds at least 10% of its shares or has the right to appoint at least one member of its management board.
13. The seconded Supervisory Board member referred to in sec. 11 above shall submit to the Supervisory Board at least once in each quarter of the financial year a written report on his or her oversight functions performed and their results, in accordance with the principles set forth in the pertinent resolution of the Supervisory Board.
14. Representations addressed to the Supervisory Board between its meetings shall be submitted to the Chairperson of the Supervisory Board or, if this is impossible, to the Deputy Chairperson or the Secretary of the Supervisory Board.
15. The Supervisory Board exercises its powers, as defined in Article 382 § 4 of the Commercial Company Code and in the Statute, by sending to the Company's Management Board written motions regarding the preparation or provision of any information, documents, reports or clarifications regarding the Company, in particular its activities or assets, or any reviews that the Supervisory Board wishes to conduct. Such motions may also concern information, reports or clarifications held or to be provided by the Company's Management Board regarding subsidiaries or related parties. A draft motion to the Company's Management Board must be prepared and signed by at least one Supervisory Board member and be addressed to the Supervisory Board Chairperson. The Supervisory Board Chairperson shall put such motion to the vote at the next Supervisory Board meeting. The Supervisory Board may present to the Management Board motions adopted by the Supervisory Board in the form of resolutions or in the form of a recommendation recorded in the minutes of the Supervisory Board meeting.
16. The Supervisory Board may also submit the written motions referred to in sec. 15 above to commercial proxies or persons employed in the Company under an employment contract or performing specific activities for the Company on a regular basis under a work product agreement, a mandate contract or any other contract of a similar nature (hereinafter: obligors). In such case, the provisions of sec. 15 above shall apply accordingly, except that any motions submitted to the obligor shall also be submitted by the Supervisory Board to the attention of the Company's Management Board.
17. Whenever possible and reasonable, the Supervisory Board shall specify a time limit for the performance of the motion referred to in sec. 15 and 16 above, which shall be longer than two weeks from the date of submission of the motion to the Company's Management Board or the obligor. When specifying the time limit for the performance of the motion, the Supervisory Board shall take into account the time necessary to collect documents and to reliably prepare information, reports or clarifications. If the Supervisory Board fails to specify the time limit for the performance of the motion, then the information, documents, reports or clarifications requested by the Supervisory Board shall be submitted to the

Supervisory Board promptly, but not later than within two weeks from the date of submission of the motion to the Management Board or the obligor.

18. Neither the Supervisory Board nor any Supervisory Board member may submit to the Management Board any motions other than those adopted following the procedure provided for in sec. 15 and 16 above, except that the powers to perform an oversight function referred to in 382 § 4 of the Commercial Company Code shall be vested in a Supervisory Board member seconded to perform such oversight function on a permanent basis.
19. With regard to the information referred to in Article 380¹ of the Commercial Company Code, which the Company's Management Board of the Company is required to provide to the Supervisory Board without an additional request, the procedure and form of providing such information shall be determined by the Supervisory Board in a separate document adopted by a Supervisory Board resolution.
20. The Supervisory Board shall, at least one week in advance, notify the key certified auditor who has audited the Company's financial statements of the date of the Supervisory Board meeting expected to deal with the following matters: evaluation of the Management Board's report on the activity of the Company and the Group and the Company's standalone financial statements and consolidated financial statements of the Group for the previous financial year, evaluation of the Management Board's motions to distribute the profit or cover the loss and preparation of a written report of the Supervisory Board for the previous financial year. Such notification shall be made by the Supervisory Board Chairperson via e-mail or in any other manner and shall contain an indication of the date, time and place of the Supervisory Board meeting and specify the method of participation of the key certified auditor in the meeting – presence at the place of the meeting or possibility of participation via means of direct remote communication.
21. The Management Board shall ensure the participation of the key certified auditor or any other representative of the audit firm in the Supervisory Board meeting referred to in sec. 20 above.
22. During the Supervisory Board meeting, the key certified auditor or any other representative of the audit firm shall present to the Supervisory Board a report on the audit, including the evaluation of the grounds for his or her statement regarding the Company's ability to continue as a going concern, and shall answer questions from the Supervisory Board members.

§ 8 MINUTES

1. Supervisory Board meetings are minuted. The minutes shall include the agenda, the full names of voting Supervisory Board, the number of votes cast on respective resolutions and dissenting opinions along with their justification, if any, recommendations and submitted statements.
2. Resolutions adopted by the Board shall be numbered consecutively.
3. The minutes shall be signed by the Supervisory Board members attending the meeting.
4. Any Supervisory Board members absent from the meeting shall confirm with their signature that they have read the minutes.
5. All meeting minutes shall be kept at the Company's registered office.
6. Any extracts from the minutes, if required for substantive, legal or procedural reasons, shall be signed by the Supervisory Board Chairperson and Secretary.

§ 9 SUPERVISORY BOARD RESOLUTIONS

1. The Supervisory Board adopts resolutions at its meeting if at least a half of its members are present and all members have been duly invited.
2. The Supervisory Board adopts its resolutions by open ballot.
3. A secret ballot may be conducted at the request of a Supervisory Board member and in votes on personal matters.
4. The Supervisory Board adopts resolutions, in consideration of sec. 1 above, by an absolute majority of votes cast, that is by a majority of more than half of the votes cast, with the "abstaining" votes added to the votes cast against the resolution. In the event of a tie vote, the Supervisory Board Chairperson's vote shall prevail.
5. Each resolution should comprise the following elements:
 - 1) number, date and title,
 - 2) legal basis for its adoption,
 - 3) wording of the resolution (if necessary, marked with paragraphs and sections),

- 4) specification of the effective date of the resolution,
- 5) procedure (secret, open) and outcome of the vote, number of votes “in favor”, “against” and “abstaining”.
6. The Supervisory Board may adopt resolutions without holding a meeting:
 - 1) using a telephone or other means of remote communication in a manner enabling direct communication of all Supervisory Board members, or
 - 2) by affixing signatures on the same copy (copies) of the draft resolution or on separate documents containing the same text, provided that, to permit the adoption of a resolution in this manner, a prior justification for the resolution has been prepared and the draft resolution has been presented to all Supervisory Board members along with such justification.
7. The Chairperson shall decide whether a resolution of the Supervisory Board is to be adopted in writing or by means of direct remote communication.
8. The course of a Supervisory Board meeting shall be recorded and, after the minutes of the meeting have been prepared and accepted by the Supervisory Board, the recording shall be permanently removed from the medium on which it was registered.
9. The Supervisory Board may adopt resolutions in writing or using means of direct remote communication also in matters for which § 9 sec. 3 of these Rules provides for a secret vote unless an objection is made by any Supervisory Board member. The time limit for raising an objection or requesting a secret vote shall be specified when the vote is announced.
10. Resolutions adopted in writing or by means of direct remote communication shall be presented at the next meeting of the Supervisory Board with the outcome of the voting.
11. Supervisory Board members may participate in adopting Supervisory Board resolutions by voting in writing with intermediation of another Supervisory Board member.
12. Votes may not be cast in writing on matters included in the agenda at a meeting of the Supervisory Board or in the event of a secret vote.
13. In order to recognize the validity of a vote cast in writing, it shall be necessary to submit a written statement of a Supervisory Board member and submit such statement at the Supervisory Board meeting during the voting by another Supervisory Board member. If such statement is delivered by a member of the Management Board or a third party, the formal requirements for its delivery shall not be satisfied.
14. The statement referred to above shall be prepared in a manner that does not raise any doubts as to what the vote concerns or whether it is “in favor”, “against” or “abstaining”. Such statement shall be attached to the minutes of the Supervisory Board meeting.
15. Supervisory Board members should provide the Company with information on their ties (including economic or family ties) with a shareholder of the Company holding shares representing at least 5% of votes at the Company’s General Meeting or another entity entitled to exercise voting rights at the Company’s General Meeting from shares representing at least 5% of the votes if such ties may affect the view taken by such Supervisory Board member regarding a matter to be decided on by the Supervisory Board.

§ 10 SUPERVISORY BOARD COMMITTEES

1. The Supervisory Board is entitled to establish permanent or ad hoc committees of the Supervisory Board, consisting of Supervisory Board members, to perform specific oversight functions.
2. The following standing committees operate within the Supervisory Board: (a) the Audit Committee, (b) the Nominations and Remuneration Committee, and (c) the Strategy and Investment Committee.
3. Each Committee is composed of at least three (3) members appointed and dismissed by the Supervisory Board from among its members for a period equal to the term of office of the Supervisory Board.
4. A committee member ceases to be a committee member when he/she ceases to be a Supervisory Board member, and a committee member may at any time be dismissed from the committee by a Supervisory Board resolution. A committee member may also resign from membership in the committee at any time by submitting his/her resignation to the Chairperson of the ENEA S.A. Supervisory Board. If the respective committee member concurrently holds the function of Chairperson of the ENEA S.A. Supervisory Board, then such committee member shall submit his/her resignation to the Deputy Chairperson of the ENEA S.A. Supervisory Board.
5. Members of the Committee elect the Chairperson of the Committee from among themselves. The Chairperson of a Committee manages the work of the Committee, in particular the organization and

meetings of the Committee. The Supervisory Board Chairperson may be a member of Supervisory Board committees, but may not serve as the Chairperson of the Audit Committee.

6. Subject to, in particular, the provisions of law regulating the rules for publicly disclosing current and periodic information, within the meaning of the Regulation of the Minister of Finance of 29 March 2018 on current and periodic information disclosed by issuers of securities and conditions for considering the information required by laws of a non-member state as equivalent and confidential information within the meaning of Regulation (EU) No 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC, the chairperson of a committee shall be permitted to communicate directly with the shareholders by publishing information on the Company's website.
7. The Supervisory Board committee shall provide the Supervisory Board at least once in each quarter of the financial year with written information on the supervisory activities carried out and their outcomes.
8. The detailed rules of operation of the standing committees referred to in sec. 2 above are set forth in the Rules of such committees, as adopted by a Supervisory Board resolution.
9. The detailed rules of operation of ad hoc committees are defined in the Supervisory Board resolutions establishing such committees.

§ 11

ADVISOR TO THE SUPERVISORY BOARD

1. The Supervisory Board may adopt a resolution on examining, at the Company's expense, a specific matter concerning the Company's operations or assets by an advisor selected by the Supervisory Board (hereinafter: Advisor to the Supervisory Board). An Advisor to the Supervisory Board may also be selected to prepare specific analyses or opinions.
2. The maximum total fee payable to all Advisors to the Supervisory Board that the Company may incur during a financial year shall be determined by a resolution of the General Meeting.
3. As a rule, an Advisor to the Supervisory Board shall be selected in a competitive procedure (open or restricted tender), although for justified reasons the Supervisory Board may select an Advisor to the Supervisory Board without observing such procedure, in consideration of the provisions of generally applicable law.
4. At the request of the Supervisory Board, the Company's Management Board or any persons indicated by the Management Board shall provide the Supervisory Board with organizational, administrative or logistical support in the selection of an Advisor to the Supervisory Board and the execution of a contract with such Advisor to the Supervisory Board.
5. In the contract between the Company and an Advisor to the Supervisory Board, the Company shall be represented by the Supervisory Board. The execution of a contract with an Advisor to the Supervisory Board shall require the adoption of a resolution by the Supervisory Board. Such contract shall be signed on behalf of the Supervisory Board by the Supervisory Board Chairperson authorized by a Supervisory Board resolution or by any other member of the Supervisory Board authorized by a Supervisory Board resolution.
6. The Supervisory Board may also enter into contracts with one or more Advisors to the Supervisory Board (hereinafter: framework contracts) defining the terms of orders (hereinafter: executive orders) that may be awarded in the respective period, in particular regarding their subject matter and fees. A decision to award an executive order under a framework contract shall require the adoption of a resolution by the Supervisory Board. An executive order – specifying the subject matter, maximum fee and completion date – may be submitted to the Advisor to the Supervisory Board in electronic form by the Supervisory Board Chairperson or any other Supervisory Board member authorized by the Supervisory Board.
7. The execution of framework contracts in the manner specified in sec. 6 above shall not exclude the Supervisory Board's right to select or execute contracts with any other Advisors to the Supervisory Board outside the group of Advisors to the Supervisory Board with whom framework contracts have been executed.
8. All contracts entered into with Advisors to the Supervisory Board (framework contracts or other agreements) and the execution orders awarded under such framework contracts shall be disclosed to the Company's Management Board.
9. The Management Board shall provide the Advisors of the Supervisory Board with access to documents and provide them with the requested information.

10. An Advisor to the Supervisory Board and a natural person carrying out activities on its behalf shall keep confidential all non-public information and documents received from the Company. This confidentiality obligation shall not be limited in time.
11. Ongoing supervision over the performance of contracts by the Advisors to the Supervisory Board and over the performance of the executive orders under framework contracts shall be exercised by the Supervisory Board Chairperson. The Supervisory Board may authorize any other member(s) of the Supervisory Board to exercise the ongoing supervision referred to above.
12. After receiving the deliverables of an Advisor to the Supervisory Board – in the form of research reports, analyses, opinions or other documents – the Supervisory Board shall make decisions regarding potential further actions in the matter in question.
13. The deliverables of an Advisor to the Supervisory Board shall be accepted by a Supervisory Board resolution. Such Supervisory Board resolutions on accepting the deliverables, submitted to the Company's Management Board, shall form the basis for the Company to pay the fee to the Advisor to the Supervisory Board.
14. The deliverables of the Advisor to the Supervisory Board may be shared by the Supervisory Board with the Company's Management Board.
15. The Supervisory Board may decide to share the deliverables of the Advisor to the Supervisory Board with the shareholders unless this might cause damage to the Company, a subsidiary or a related party, in particular due to the disclosure of any Confidential Information. Making a decision on sharing the deliverables of the Advisor to the Supervisory Board with the shareholders shall require a Supervisory Board resolution.
16. If the Supervisory Board decides to provide the shareholders with the deliverables of the Advisor to the Supervisory Board, the Management Board shall make them available in the manner set forth for the notice of convening the General Meeting within two weeks from the date of adoption of the respective Supervisory Board resolution.
17. The powers of the Supervisory Board to select an Advisor to the Supervisory Board, as referred to in this § 11, do not exclude the right of the Supervisory Board or the right of the Supervisory Board Committees to use the services of external advisors to the Company with whom the Company has entered into agreements for the provision of advisory services.

§ 12 MISCELLANEOUS

1. All administrative services shall be provided to the Supervisory Board by the Company.
2. The Company shall cover the costs incurred in connection with performance of the functions entrusted to Supervisory Board members, in particular the costs of transport to Supervisory Board meetings, the costs of exercise of personal oversight and the costs of food and lodging. The Company shall also pay the fees of Advisors of the Supervisory Board referred to in § 11.
3. Any matters that are not provided for in these Rules shall be subject in particular to the provisions of the Statute and the Commercial Company Code.
4. These Rules shall come into force on the date of their adoption.