

ACT
of 29 July 2005
ON PUBLIC OFFER AND THE CONDITIONS
FOR INTRODUCING FINANCIAL INSTRUMENTS
TO THE ORGANIZED TRADING SYSTEM,
AND ON PUBLIC COMPANIES¹⁾

(Consolidated text: Dziennik Ustaw 2009, No. 185, item 1439; 2010, No. 167, item 1129)

Chapter 1. General Provisions

Article 1. This Act regulates:

1) the rules and conditions for making a public offer of securities, carrying out subscription for or sale of such securities, and applying for the admission and introduction of securities or other financial instruments to trading on a regulated market;

2) the obligations of issuers of securities and other subjects participating in trading in such securities or other financial instruments;

3) the effects of obtaining a public company status and special rights and duties related to the holding of and trading in shares of such companies.

Article 2. The provisions of this Act shall not apply to:

1) bills of exchange, promissory notes and cheques within the meaning of the provisions of the law on bills of exchange and promissory notes and cheque law;

2) bank securities within the meaning of the Act of 29 August 1997 – Banking Law (Dziennik Ustaw 2002, No. 72, item 665, as amended) and other non-equity securities constituting acknowledgement of receipt of cash means in the depository, covered by deposit-guarantee scheme and issued in a continuous or repeated manner by a credit institution, the securities not being subordinated, convertible or exchangeable, not incorporating the right to subscribe or acquire another kind of securities and not underlying securities within the meaning of Article 3, subparagraph 1, letter b of the Act of 29 July 2005 on Trading in Financial Instruments (Dziennik Ustaw 2005, No. 183, item 1538; 2006, No. 104, item 708, No. 157, item 1119), hereinafter referred to as the “Act on Trading in Financial Instruments”;

3) securities being money-market instruments within the meaning of the Act on Trading in Financial Instruments;