

Pursuant to Articles 28, 69 paragraph 3 and 72 of the Law on Privatization (Official Gazette of the Republic of Serbia No. 38/2001, 18/2003, 45/2005 and 123/2007), Article 9 of the Law on Privatization Agency (Official Gazette of the Republic of Serbia No. 38/2001 and 135/2004) and Article 9 of the Law on Share Fund (Official Gazette of the Republic of Serbia No. 38/2001 and 45/2005), as well as on authorization from point 6 of Public Invitation published on February 23, 2009 in the daily newspaper "Politika" (hereinafter "Public Invitation")

**PRIVATIZATION AGENCY**  
(hereinafter: the "Agency")  
issues:

**Amendments of public invitation no. 5**

published on February 23, 2009 in the daily newspaper "Politika"

for participation in a public tender  
for sale of 446,188 shares CFI-code: ESVUFR, ISN-no: RSZUPAE75121  
with nominal value of RSD 1,000  
which represents 70.33993% of the total registered capital of the Company  
(hereinafter "Block of shares"):

**Chemical industry "ŽUPA" AD Kruševac, Šandora Petefija bb**  
(hereinafter: the "Company")

Tender Code: **ŽUP 02/09**

The Agency informs all interested individuals and legal entities about Amendments no. 5 of Public Invitation for participation in a public tender for sale of 446.188 shares CFI-code: ESVUFR, ISN-no: RSZUPAE75121 with nominal value of RSD 1,000, which represents 70.33993% of the total registered capital of the Company, as follows:

**1. 1. Item 4. has changed as follows:**

"Required sales conditions:

A bid may be submitted by:

A) Interested bidder that fulfils the following requirements:

- It has purchased the Tender Documents; and
- It fulfils the following requirement: it has been engaged in production and/or processing and/or trading of chemical products for at least the last 3 (three) consecutive business years, and achieved operating revenues of at least EUR 8,000,000.00 (eight million euros) in 2008.

If the interested bidder is a parent company that does not meet the requirements from this clause of the Public Invitation, its subsidiary has the right to submit a bid, if it fulfils these requirements. The subsidiary that fulfils the above stated requirements also has the right to submit a bid if the parent company purchased the Tender Documents.

If the interested bidder is a subsidiary that does not meet the requirements from this clause of the Public Invitation, the Parent company has the right to submit a bid, if it fulfils these requirements. The parent company that fulfils the above stated requirements also has the right to submit a bid if its Subsidiary purchased the Tender Documents.

B) If an interested bidder is a Consortium, it is necessary that it fulfils cumulatively the following requirements:

- All Consortium members have made the decision on organizing and entering the Consortium;
- All Consortium members have concluded a written Consortium Agreement and notarized it in Court or other competent body (in case of foreign legal entities and/or individuals);

- Each member of the Consortium assumes unlimited joint and several liabilities by provisions of the Consortium Agreement;
- The Consortium Agreement specifies each member's percentage in the acquisition of capital of the Company, provided that one consortium member must have at least 51% of the total share in the Consortium (hereinafter: "Consortium Leader");
- All Consortium members have signed a notarized Power of Attorney for the representing member of the Consortium;
- All Consortium members have signed a Confidentiality Agreement;
- At least one of the Consortium members has purchased the Tender Documents; and
- The Consortium Leader fulfills the following requirements: it has been engaged in production and/or processing and/or trading of chemical products for at least the last 3 (three) consecutive business years, and achieved operating revenues of at least EUR 8,000,000.00 (eight million euros) in 2008".

2. Deadline for submission of the final binding offers for purchasing the Block of shares of the Company set out in Clause 6 of the Public Invitation is changed and extended **to October 16, 2009 at 16:30 hours (Belgrade time)**.

3. All other information regarding the Public Invitation shall remain unchanged and available at:

[http://www.priv.yu/vesti/pdf/tender\\_414\\_jp2.pdf](http://www.priv.yu/vesti/pdf/tender_414_jp2.pdf)

4. All communications or inquiries relating to this Public Invitation should be directed to the contact persons at the address below, in Serbian or English:

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