# NON-PROFIT JOINT-STOCK COMPANY "ABAI KAZAKH NATIONAL PEDAGOGICAL UNIVERSITY UNIVERSITY"



#### **APPROVED**

by the Decision of the Board of Directors of NJSC "Abai Kazakh National Pedagogical University" Protocol No.2, February 19, 2021

Changes have been made in accordance with the decision of the Board of Directors of the Abai Kazakh National Pedagogical University, Protocol No.7 dated 01.07.2021, Protocol No.3 dated 31.03.2022.

Chairman of the Board of directors

КЕНЕСІ СОВЕТ ДИРЕКТОРОВ

Issimbaeva G.I.

REGULATION

on the Management Board of the Non-Profit Joint-Stock Company "Abai Kazakh National Pedagogical University"

#### 1. General provisions

- 1.1. This Regulation on The Board of Directors of the Non profit Joint-Stock Company "Abai Kazakh National Pedagogical University" (herein after-the Regulation) was developed in accordance with By the Civil Code of the Republic of Kazakhstan, by the Law of the Republic of Kazakhstan "On Joint-Stock Companies", by the Law of the Republic of Kazakhstan "On State Property", by the Law of the Republic of Kazakhstan "On Education", other legislative and other normative legal acts and the Charter Non-profit Joint-Stock Company "Abai Kazakh National Pedagogical University".
- 1.2. These Regulations define the main tasks, composition, planning procedure, and conditions for organizing the activities of the Management Board (Rectorate).
- 1.3. The Management Board of the non-profit joint stock company "Abai Kazakh National Pedagogical University" is the collegial executive body of the non-profit joint stock company "Abai Kazakh National Pedagogical University" (hereinafter the University). Management of the University's day-to-day operations is carried out by the University's Management Board, The Chairman of the Management Board is the University's Rector.
- 1.4. The Board of Directors determines the number of members and the term of office of members of the Management Board, the election of its Chairman and members, as well as the early termination of their powersй.
- 1.5. The Management Board's activities are provided by the Chairman of the Management Board. The Management Board has the right to make decisions on any issues of the University's activities that are not referred by the legislation and the University's Charter to the competence of other bodies and officials of the University.
- 1.6. The Management Board organizes its activities based on the approved work plan for the corresponding academic year. Decisions of the Management Board are binding on all employees and, incegeneral, persons receiving education in the University.

## 2. Procedure for forming the Management Board

- 2.1. The personal composition of the Management Board is elected by the decision of the University's Board of Directors. When considering and approving candidates for members of the Management Board, a decision is made by a simple majority vote of the members of the University's Board of Directors.
- 2.2. The functions, rights and obligations of members of the Management Board are determined by the legislation of the Republic of Kazakhstan, the Charter, these Regulations, the collective agreement and other regulatory documents of the University, employment contracts.

The employment contract on behalf of the University with the Chairman of the Management Board – Rector is signed by the Sole Shareholder.

The employment contract with members of the Management Board is signed by the Chairman of the Management Board – Rector of the University on the basis of a decision of the Board of Directors.

2.3.If employees of the University who are in an employment relationship are elected to the Management Board, additional agreements to employment contracts are concluded

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with them as members of the Management Board under the terms of combining their positions.

- 2.4.In case of early termination of the powers of a person who is a member of the Management Board, it is allowed to temporarily perform his / her duties by another person determined by the decision of the Management Board, until the Board of Directors makes a corresponding decision on the candidacy of a member of the Management Board.
- 2.5.A member of the Management Board may be recalled from his / her position for violating the Charter, as well as the terms of the employment contract, with simultaneous termination of the employment contract or an additional agreement to the employment contract. The decision to recall a member of the Management Board and terminate the employment contract or supplementary agreement with him / her is made by the University's Board of Directors.

## 3. Composition of the Management Board

- 3.1. The Management Board consists of: Rector, vice-rectors.
- 3.2.Members of the Management Board act within the limits of their competence, as determined by the University's Charter, decisions of the Sole Shareholder and the Board of Directors, and these Terms of Reference. Regulationsem, job descriptions, orders and orders of the Chairman of the Management Board Rector and the terms of employment contracts concluded with their participation.
- 3.3. The Chairman organizes the work of the Management Board and ensures its activities in accordance with the legislation, the Charter and these Regulations.

# 4. Qualification requirements for members of the Management Board

- 4.1. Candidates for members of the Management Board must have professional experience, knowledge and business reputation, and the ability to contribute to the activities of the Management Board in order to achieve common goals and results.
- 4.2.A person who has a higher education and a positive business reputation may be elected to the position of a member of the Management Board.
- 4.3. The following persons may not be elected as a candidate to the Management Board:
- 1) having a criminal record that has been outstanding or not withdrawn in accordance with the procedure established by the legislation of the Republic of Kazakhstan;
  - 2) previously committed a corruption crime;
- 3) previously served as Chairman of the Board of Directors, first manager-Chairman of the Management Board, Deputy head of another legal entity for a period not exceeding one year prior to the decision on its forced liquidation, forced repurchase of shares, conservation or recognition of the banas a mole in accordance with the established procedure.

The specified requirement is applied within five years after the date of making a decision on compulsory liquidation, compulsory repurchase of shares, conservation or recognition of bankruptcy in accordance with the established procedure.

4) found guilty by a court of committing a crime against property, in the sphere of economic activity, or against the interests of service in commercial or other organizations,

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as well as released from criminal liability on non-rehabilitating grounds for committing these crimes.

The specified requirement is applied within five years from the date of repayment or removal in accordance with the procedure established by law, of a criminal record or exemption from criminal liability.

## 5. Status of the Management Board, rights and obligations of its members

- 5.1. The Management Board is a collegial body that manages the University's day-to-day operations.
- 5.2. The functions, rights and duties of the Chairman and members of the Management Board are determined by Law, other regulatory legal acts, the University's Charter, regulatory documents of the Sole Shareholder, as well as employment contracts.
- 5.3.Employment contracts must contain the rights, obligations, responsibilities of the parties and other essential conditions, as well as the obligation of members of the Management Board to comply with the University's Corporate Governance Code.
- 5.4.Members of the Management Board must exercise their rights and perform their duties in good faith, using methods that best reflect the interests of the University and the Sole Shareholder.
- 5.5.Members of the Management Board are not entitled to use or allow the use of the University's property in contradiction with the legislation, the University's Charter, decisions of the Sole Shareholder and the Board of Directors.
- 5.6.Members of the Management Board exercise control over the conditions for providing information about the University's activities, comply with the requirements for non-disclosure of confidential information in accordance with the requirements of the legislation, and are obliged not to disclose information known to them that constitutes commercial and official secrets that will be entrusted to them or become known in the course of their activities.
- 5.7. When applying for a job, a member of the Management Board must sign an Obligation not to disclose information that constitutes a commercial or official secret. Such Obligation is valid for 5 (five) years after termination of the employment relationship of a member of the Management Board with the University.
- 5.8.If a member of the Management Board has an interest in entering into a transaction by the University, he / she is obliged to bring the relevant information to the attention of the Chairman of the Management Board the Rector and the Board of Directors.
- 5.9.Members of the Management Board are required to take measures to prevent damage and optimize the University's activities by initiating the convocation of a meeting. The Board of Directors. Members of the Management Board inform the Chairman of the Management Board-Rector about the state of affairs on the range of issues they oversee.
- 5.10. The distribution of responsibilities and areas of authority between members of the Management Board is carried out by the Chairman of the Management Board Rector, based on experience and qualifications, by issuing an appropriate order.

6. Competence of the Management Board

6.1. The Management Board has the right to make decisions on any issues of the

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University's activities that are not covered by legislative acts and the Charter The competence of other bodies and officials of the University, including: :

- 1) develops and submits to the Board of Directors for approval the University's staffing level;
- 2) approves the University's staffing table, taking into account the number of employees approved by the Board of Directors;
- 3) issues decisions and gives instructions that are binding on all employees of the University;
- 4) approves documents adopted for the purpose of organizing the University's activities and its structures that are not related to the documents approved by the Board of Directors;
- 5) develops and submits to the Board of Directors for approval the University's Development Plan and reports on its implementation;
  - 6) makes decisions on production issues related to the University's internal activities;
- 7) makes decisions on the University's participation in the creation and operation of other legal entities by transferring a part or several parts of assets in the amount of up to ten percent of all assets owned by the University;
- 8) approves educational programs of higher and postgraduate education in accordance with the state mandatory standards of education on the basis of a decisionAcademic Council.
- 6.2. The Management Board is obliged to comply with the decisions of the Sole Shareholder and the Board of Directors.
- 6.3.Members of the Management Board must perform their duties in good faith and use methods that best reflect the interests of the University and the Sole Shareholder.

# 7. Procedure for organizing the Board's activities

- 7.1.Meetings of the Management Board are conducted by the Chairman of the Management Board the University's Rector, and in his absence-one of the University's Vice-rectors, to whom the Chairman has delegated the relevant powers. The Management Board meets at least once a month.
- 7.2. The presence of members of the Management Board at a meeting of the Management Board is mandatory. If you can not attend the meeting of the Board member The Board of Directors must inform the Secretary of the University in advance, as well as provide information about the candidacy of a substitute employee.
- 7.3. The Management Board makes decisions by a majority vote (50 percent plus one vote), and decisions of the Management Board are considered valid if at least two-thirds of its members participate in its meeting.
  - 7.4.In the event of a tie, the Chairman's vote Management Boards Society is crucial.
- 7.5. Voting of members of the Management Board may be open or secret, and is determined by a decision of the Management Board, except for cases specified specifically on the issue under consideration.
- 7.6. The list of issues to be considered is indicated in the agenda based on the annual work plan of the Management Board approved by the Board of Directors, orders of the

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University's Rector, proposals of members of the Management Board, and previous decisions of the Management Board.

- 7.7.In order to study and prepare individual issues, the Management Board has the right to make a decision on the establishment of the corresponding commission by order of the Rector.
- 7.8. The most important issues of the University's activities that require preliminary study, preparation of draft decisions, and comprehensive discussion are considered at meetings of the Management Board with the invitation of managers and other employees of the University's structural divisions.
- 7.9. After discussion of issues on the agenda, the final decision on the issue is formulated by the Chairman-Rector and recorded in the minutes. The minutes are signed by the Rector and the Academic Secretary of the Society.
- 7.10. The most important decisions of the Management Board are issued by orders or orders of the Rector.
- 7.11. The Secretary organizes the preparation of meetings of the Management Board, coordinates the interaction of the Management Board with the University's structural divisions.
- 7.12. Materials for meetings of the Management Board, according to the agenda, are sent to the Secretary no later than 7 days before the date of the meeting.
- 7.13. Meetings of the Management Board are recorded (Appendix 1). The Secretary of the Society is responsible for collecting materials and preparing a transcript of the protocol.
- 7.14. The day and time of meetings of the Management Board may be changed by the decision of the Chairman of the Management Board.
- 7.15. The Academic Secretary informs the members of the Management Board and invited employees about changes made to the work plan of the Management Board no later than 3 days before the date of the meeting.
- 7.16. Consideration of additional (unscheduled) issues at meetings is carried out by the decision of the Chairman of the Management Board of the University.
- 7.17. Decisions of the Management Board must be communicated to the executors and come into force from the moment they are signed by the Chairman of the Management Board.
- 7.18. At the end of the academic year, the Chairman of the Management Board organizes a review of the implementation of the Board's decisions. If the decision or order is not executed within the established time limit, the contractor submits an explanatory note to the Chairman of the Management Board on the reasons for non-execution.
- 7.19. If the execution of an order is impossible due to objective reasons, the person responsible for its execution submits to the Chairman of the Management Board a reasoned proposal to extend the execution period, indicating the reasons for the extension and the planned execution date.

#### 8. Powers of the Chairman of the Management Board – Rector of the University

8.1.The current activities of the University are managed by the Chairman of the Management Board - the Rector of the University.

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8.2. The Chairman of the Management Board executes decisions of the Sole Shareholder and the Board of Directors, and has the right to make decisions on any issues of the University's activities that are not referred by the legislation and the University's charter to the competence of other bodies and officials of the University.

# 9. Meeting of the Management Board, procedure for making and executing its decisions

- 9.1.Meetings of the Management Board are held as necessary, but at least once a month.
- 9.2. The quorum for holding meetings of the Management Board is not less than half of the number of members of the Management Board and can be determined taking into account absent members of the Management Board (if their votes are expressed in writing).
- 9.3. The procedure for organizing activities, convening, preparing, holding meetings and making decisions by the Management Board is determined by the legislation, the University's Charter and these Regulations.
- 9.4.A meeting of the Management Board may be convened by the Chairman of the Management Board Rector of the University on his own initiative or at the request of a member of the Management Board.
- 9.5.Materials for the Management Board meeting are sent out via electronic communication to the e-mail addresses of members of the Management Board.
- 9.6. Notices of the upcoming meeting and absentee voting ballots must also be sent by electronic communication, and if necessary, in hard copy.
- 9.7.If a member of the Management Board is unable to attend the meeting, he / she has the right to submit to the Management Board his / her written opinion on the issues under consideration, drawn up in accordance with the form given in Appendix 2 to these Regulations.
- 9.8.A written opinion is taken into account when confirming the quorum and summing up voting results on issues on the agenda of the meeting (mixed voting), on which it contains the voting results of a member of the Management Board.
- 9.9.A member of the Management Board may participate in a meeting of the Management Board via video link. Voting of such a member of the Management Board is carried out by filling out and signing the absentee voting ballot prepared by the Secretary of the Management Board, which is an integral part of the minutes of an in-person meeting of the Management Board. In case of such participation, a member of the Management Board is considered to have arrived at the meeting of the Management Board.
- 9.10. If the absentee voting procedure is used, the notification and materials on the agenda items are accompanied by the absentee voting bulletin drawn up in accordance with the form given in Appendix 1 to these Regulations.
- 9.11. The Secretary of the Management Board prepares the draft minutes of the inperson meeting or the draft decision of the absentee meeting in accordance with the forms given in Appendices 3 and 4 to these Regulations. Minutes of an in-person meeting or a resolution of an absentee meeting of the Management Board are drawn up no later than 1 (one) day from the date of the meeting.

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#### 10. Responsibilities of members of the Management Board

- 10.1. Members of the Management Board perform their duties in good faith, reasonably, fairly, using methods that reasonably and to the greatest extent reflect the interests of the University and the Sole Shareholder.
  - 10.2. MembersThe Management Boards are responsible for:
- 1) non-execution of decisions of the Sole Shareholder and the Board of Directors in the part related to their competence the Management Board;
  - 2) consequences of decisions taken on issues within their competence;
- 3) damage caused by intentional actions (omissions), in accordance with the legislation, including for losses incurred as a result of: providing misleading or deliberately false information; violation of the procedure for providing information established by the regislation of the Republic of Kazakhstan.
- 10.3. The University, based on the decision of the Sole Shareholder or the Board of Directors, has the right to apply to the court with a claim to the Chairman and members of the Management Board for compensation for damage or losses inflicted by them to the University.
- 10.4. The Chairman of the Management Board is responsible for timely and high-quality performance of the functions and tasks assigned to him.
- 10.5. The Chairman of the Management Board, in accordance with the established procedure, is personally responsible for the quality and timeliness of performing the functions and tasks, assigned to him in accordance with these Regulations, the legislation of the Republic of Kazakhstan, the employment contract and other internal documents of the University.
- 10.6. Members of the Management Board, in accordance with the established procedure, are personally responsible for the quality and timely performance of the functions assigned to them in accordance with employment contracts and the legislation of the Republic of Kazakhstan.
- 10.7. By decision of the Board of Directors, members of the Management Board may be subject to disciplinary sanctions in accordance with the established procedure for violation of labor discipline, non-performance or improper performance of their official duties.
- 10.8. Non-performance and / or improper performance by members of the Management Board of their assigned duties is taken into account by the Board of Directors when making a decision on remuneration based on the results of their activities for the year.
- 10.9. The material liability of members of the Management Board, the procedure for compensation of damage caused by them (if any), as well as the procedure for imposing disciplinary penalties, are determined in accordance with labor legislation and internal documents of the University.

#### 11. Secretary of the Management Board

- 11.1. The Secretary of the Management Board is the person responsible for documenting the activities of the Management Board.
- 11.2. The functions of the Secretary of the Management Board are performed by an employee of the University appointed by the order of the Chairman of the Management

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Board - the Rector of the University. In case of temporary absence of the Secretary of the Management Board, the performance of his duties is assigned by order of the Chairman of the Management Board - the Rector of the University to another person from among the University's employees.

- 11.3. The Secretary is not entitled to disclose information that, according to the University's internal regulatory documents, constitutes a commercial and official secret, as well as other confidential information.
- 11.4. The AcademicSecretary is not entitled to use the restricted information available to him / her about the University for personal purposes. He / she is responsible for the correctness of drawing up the minutes and extracts from the minutes of the Management Board meetings.

#### 12. Reports to the Board of Directors

- 12.1. The Management Board ensures that reports on the University's activities are prepared and reviewed at the meeting of the Board of Directors.
- 12.2. The Board of Directors may at any time request from the Management Board a report on the University's state of affairs, relations with the organizationeй on financial and economic activities,-if it may affect the University's position.

## 13. Audit and reporting

13.1. The Management Board ensures an annual audit of the University's annual financial statements and their timely publication in accordance with the procedure and terms stipulated by lawOf the Republic of Kazakhstan and the University's Charter.

## 14. Final provisions

- 14.1 Approval of the Regulations, as well as amendments and additions to it, is carried out by decision of the Board of Directors.
- 14.2 If, as a result of changes in the legislation of the Republic of Kazakhstan and (or) the University's Charter, certain provisions of the Regulations come into conflict with them, then such norms become invalid, and before making changes or additions to the Regulations, the University's officials and employees are guided by the regulatory legal acts of the Republic of Kazakhstan and the University's Charter.

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Appendix 1 regulations on the Board of the Non-profit Joint-stock company "Abai Kazakh National Pedagogical University"

#### **NEWSLETTER**

for absentee voting of members of the Management Board of a non-profitjoint-stock company

Abay Kazakh National Pedagogical University

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Date of sending the Management Date of submissi	Board	d		r of	20yea	"	-	
Address fo	or send	ling newsletter	s:		Kazakhs	maty, tan nail: tel	Republic / fax:	of
Agenda:		1. (question w 2. (question w						
On the		(wording of th	ne de	cision)				
agenda		behind		AG	AINST	(diss	ABSTAIN senting opini	
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Question		(wording of t	he de	cision)				
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Member	of	the	Managemen Full name	
Secretary	of	the	Managemei Full	nt Board

### Note:

In absentee voting, votes are counted on issues where only one of the possible voting options is selected by a member of the Management Board participating in absentee voting. Ballots issued in violation of this requirement are considered invalid, and votes on the issues contained in them are not counted.

If a member of the Management Board voted against or abstained from making a decision on a specific issue (s) on the agenda of the Management Board meeting, he / she shall submit a written justification for his / her decision within three calendar days after the decision of the Management Board is made.

The written justification of a member of the Management Board who voted against or abstained from making a decision on a specific issue (s) on the agenda of the Management Board meeting is necessarily attached to the minutes and / or to the decision of the relevant Management Board meeting.

Full name of a member of the Management Board

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Appendix 2 regulations on the Board of the Non-profit Joint-stock company "Abai Kazakh National Pedagogical University"

#### WRITTEN OPINION

from a member of the Management Board (Full name) for an in-person meeting of the Management Board / Rector's Office non-profit joint-stock company "Abai Kazakh National Pedagogical University"

g. Almaty	"		20	_ year
According to the submitted notification from ""		20 yea	r and ma	terials,
for consideration by the Management Board atAbay	Kazakl	n Nation	al Pedag	gogical
University (hereinafter referred to as "Abay Kazakh Na	tional	Pedagogi	cal Univ	ersity»
")The Company), whose meeting is scheduled for ""		_ 20 y	ear in	
hours at:, the following question	is were	raised:		
1. (wording of the question).				

2. (wording of the question).

The number of questions and their wording should correspond to the notification sent to the members of the Management Board.

Due to my inability to participate in the scheduled meeting of the Company's Management Board / Rector's Office, based on the Company's Charter and Regulations on the Management Board / Rector's Office, I submit my position on the agenda of the meeting.

Voting on the agenda: (vote of a member of the Management Board: "FOR", "AGAINST", "ABSTAINED").

**Question # 1.** Wording of the question.

A brief written statement of the position (opinion of a member of the Management Board) on the issue under consideration.

In this regard, I propose to vote for the following wording of the decision:

- 1. (wording of the decision).
- 2. (wording of the decision).

On the first item of the agenda, I vote: (vote of a member of the Management Board: "FOR", "AGAINST", "ABSTAINED").

**Question #2.** Wording of the question.

A brief written statement of the position (opinion of a member of the Management Board) on the issue under consideration.

- 1. (wording of the decision).
- 2. (wording of the decision).

On the second item of the agenda, I vote: (vote of a member of the Management Board: "FOR", "AGAINST", "ABSTAINED").

Member of the	Management Board	
		Full name

Appendix 3 regulations on the Board of the Non-profit Joint-stock company "Abai Kazakh National Pedagogical University"

#### **PROTOCOL**

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FULL-TIME MEETING OF THE MANAGEMENT BOARD / RECTOR'S **OFFICE** 

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Podoc	NON-PROFIT JOINT-STOCK COMPANY "Abai Kazakh National gogical University"
euag	gogical University
	g. Almaty No "" 2021 year
	Location: actual address of the Management Board.  Opening time and venue of the meeting:
	Members of the Management Board were present:
	Members of the Management Board were absent: Written communications with opinions on the substance of issues on the agenda
of the	Management Board meeting were submitted by:
	Quorum information: (available/not available).
oftha	In accordance with subitem of clause of the Company's Charter, by order Chairman of the Management Board of the Company dated " " 20 year no.
	the functions of the Secretary of the Management Board are assigned to
	Invited persons:
	AGENDA:
	1. About
	2. 1100dt
	The Management Board, having considered the agenda, <b>DECIDED</b> ::
	Wording of the decision (approval, amendment, addition of the agenda)
	V-4:
	Voting results: FOR votes(s) (Full names of members of the Management Board)
	AGAINST votes(s) (Full names of members of the Management Board)
	ABSTAINED (dissenting opinion) votes(s) (Full names of members of
the M	(anagement Board)
	THE DECISION WAS MADE BY: votes.

1. Speakers on the first item of the agenda (if there were speakers on the first item): Based on the results of consideration of the issue, the Management Board **DECIDED::** 

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Secretary	Full Name
	MP
Chairman	Full Name
Chairman/	
Management Board, Full name,	
The original written not	ce (s) on the agenda of the absent member (s) of the
Closing time of the meet	ng:
THE DECISION WAS I	IADE BY: votes.
the Management Board)	
	opinion) votes(s) (Full names of members of
	otes(s) (Full names of members of the Management Board)
	ll names of members of the Management Board)
Voting results:	
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1.	

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Appendix 4 regulations on the Board of the Non-profit Joint-stock company "Abai Kazakh National Pedagogical University"

#### **DECISION**

absentee	meeting	of t	he	Management	Board	non-profit	joint-stock	company
"Abai Kazakh	National	Peda	ıgo	gical Universi	ty''			

"Abai Kazakh National Pedagogical Univer		on proi	Joint Stoom Company
g. Almaty No	"_		2020 g
Location: actual address of the Board's Place and time of registration of the do Date of sending ballots to members of Date of submission of the signed bulle Address for sending newsletters:  Бюллетени для заочного голосо Management Board submitted ballots for а представилиlimit:	lecision: f the Manag etin: вания Тhе	gement l	ving members of the
Бюллетень для заочного голосом Management Board did not submit their ab Quorum information: (available/not a Secretary of the Management Board: AGENDA:	osentee votii vailable).		
<ol> <li>About</li> <li>About</li> <li>Statement of the decision</li> <li>Voting results:</li> </ol>			
FOR votes(s) (Full names of m AGAINST votes(s) (Full n ABSTAINED (dissenting opinion) the Management Board) THE DECISION WAS MADE BY: _	ames of mer	nbers of es(s) (Fi	f the Management Board)
VOTING RESULTS 1. On the first item of the agenda: Statement of the decision Voting results:			
FOR votes(s) (Full names of n AGAINST votes(s) (Full names of	ames of men	mbers of	f the Management Board)

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THE DECISION WAS MADE BY: _	votes.
2. On the second item of the agenda:	
Statement of the decision	
Voting results:	
FOR votes(s) (Full names of me	embers of the Management Board)
AGAINST - votes(s) (Full na	mes of members of the Management Board)
	votes(s) (Full names of members of
the Management Board)	
THE DECISION WAS MADE BY: Original ballots for absentee voting of signatures in the amount of The integral part of it.	members of the Management Board with
Chairman/ Chairman	Full Name
MP	
Secretary	Full Name

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John (Tasquema)