



The **Polish Financial Supervision Authority** (“KNF”) would like to alert all recipients that

**Bio-Investor Ltd**

with its registered office at  
5 London Road  
London SW179JR  
United Kingdom

do not have the KNF’s license, yet is targeting Polish customers.

Therefore, on 27 November 2013 the KNF, pursuant to Art. 304.2<sup>1</sup> of the Act of 6 June 1997 on the Code on Criminal Procedure, has made a notification to the Regional Public Prosecutor’s Office in Warsaw on the suspicion concerning possible breach of:

- Art. 99.3 in connection to Art. 99.1<sup>2</sup> of the Act of 29 July 2005 on Public Offering, Conditions Governing the Introduction of Financial Instruments to Organized Trading, and Public Companies;
- Art. 38.1 in connection to Art. 38.2<sup>3</sup> of the Act of 29 June 1995 on Bonds; and

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<sup>1</sup> State or local government institutions which in connection with their activities have been informed of an offence prosecuted *ex officio*, shall be obligated to immediately inform the state prosecutor or the Police thereof. In addition they are obligated to take steps not amenable to delay, until the arrival of the officials of an agency authorized to prosecute such offences, or until that agency issues a suitable ruling in order to prevent the effacing of traces and evidence of the offence.

<sup>2</sup> 1. Who publicly proposes acquisition of securities without the statutorily required:

- 1) approval of an issue prospectus or making an issue prospectus available to the public or; or
- 2) approval of information memorandum or statement of equivalence of information contained in information memorandum with information required in the issue prospectus, or makes memorandum available to the public or to interested investors; or
- 3) information document as mentioned in Art. 38a, or without its submission to the Commission or without making it available to the public or to interested investors shall be liable to a fine of up to PLN 10 000 000 or a penalty of imprisonment for up to two years, or to both these penalties jointly.

3. Who commits the offence specified in paragraph 1, acting on behalf or to the benefit of a legal person or organizational unit without legal status, shall be liable to a fine of up to PLN 10 000 000 or a penalty of imprisonment for up to two years, or to both these penalties jointly.

- Art. 171.1<sup>4</sup> of the Banking Act of 29 August 1997.

We have also added these entities to our list of unauthorized firms operating in Poland. This list can be found at:

[http://www.knf.gov.pl/en/About\\_us/Public\\_warnings/index.html](http://www.knf.gov.pl/en/About_us/Public_warnings/index.html)

If you have any further questions on this matter please email us at [knf@knf.gov.pl](mailto:knf@knf.gov.pl) (please include *public warning – Bio-Investor Ltd.* as a topic of your email).

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<sup>3</sup> 1. Whoever issues bonds without authorization or does not observe the conditions of emission as described in the Act shall be liable to a fine of up to PLN 5 000 000 and to imprisonment for a term of 6 months up to 5 years.

2. Who commits the offence specified in paragraph 1, acting on behalf or to the benefit of a legal person or organizational unit without legal status, shall be liable to a fine of up to PLN 5 000 000 and to imprisonment for a term of 6 months up to 5 years.

<sup>4</sup> Whoever carries out, without authorization, the business of accepting funds from other natural or legal persons or organizations without legal personality in order to extend loans or cash advances or expose such funds to risk in another way shall be liable to a fine of up to PLN 5 000 000 and to imprisonment for a term of up to 3 years.