

# TABOGLU & DEMIRHAN Newsletter

## **BANKING SECTOR HIGHLIGHTS**

- Sekerbank has signed a loan agreement with French Development Agency with an amount of US\$ 10 million for a term of 12 years. It has been reported that back payment shall start after 4 years. According to the declaration made by Sekerbank to the Public Disclosure Platform, the Bank will utilize the loan for financing micro enterprises.

## **ENERGY MARKET NEWS**

- The sale of 80% of Baskent Dogalgaz Dagitim's shares has been taken within the scope of the privatization program, and the respective decision of the Privatization High Council has been published in the Official Gazette on 4 April 2009. The Minister of the Energy and Natural Resources has announced that the tender process will be reinitiated within 6-7 months. The Minister has further added that since Baskent Dogalgaz Dagitim owes a certain amount of debt to BOTAS which has not been settled yet, Baskent Dogalgaz Dagitim has been restructured under the Presidency of Privatization Administration to pay out those debts.

## **PRIVATIZATION HIGHLIGHTS**

- Zorlu Elektrik has released a statement to the Istanbul Stock Exchange according to which Zorlu Petrogas Petrol Gaz, 73% shares of which is held by Zorlu Elektrik, has been granted a natural gas wholesale license for a term of 30 years, to be effective as of 29 June 2009.

## **CAPITAL MARKETS UPDATES**

- The Turkish Airlines Board has decided to set up a company together with Opet Petrolculuk on 50-50% partnership basis for the supply of jet fuel. According to the disclosure statement of Turkish Airlines to the Public Disclosure Platform on 3 July 2009, the Company is about to kick off negotiations with Opet Petrolculuk to collaborate for formation of a joint stock company and will initiate feasibility studies for the composition of the contemplated shareholding structure.
- It has been reported that Mensa Mensucat will be delisted from the secondary national market where its shares are traded and the shares will be traded on the watch list market as of 13 July 2009. According to the statement made through the Istanbul Stock Exchange, Mensa Mensucat is still facing major financial difficulties and unable to pay off the salaries of the employees; hence cannot sustain production.
- Pursuant to the disclosure statement of Ulker Biskuvi to the Public Disclosure Platform, 12.45% shares of Netlog Lojistik, a subsidiary of Ulker Biskuvi, has been decided to put on sale. It has been also stated that the new developments on the sale will be announced, if any.
- Askale Cimento has purchased Van Cimento, a group company of Lafarge Group, the French giant in cement sector, in return for Euro 22 million and therefore, continued to make investments despite the global financial crisis. It has been reported that Askale Cimento contemplates to increase its market share in Iran and other Turkic Republics through the new company.

### *Highlights*

*a. Banking Sector Highlights*

*b. Energy Market News*

*c. Privatization Highlights*

*d. Capital Markets Updates*

*e. Other News*

### OTHER NEWS

- The Law Amending the Customs Law and Certain Laws and Decrees numbered 5911, the Law Amending the Condominium Ownership Law numbered 5912 and the Law Amending the Law on Bank Cards and Credit Cards numbered 5915 have been published in the Official Gazette on 7 July 2009 and become effective.
- It has been reported that sale of 51% of Atakule Real Estate Investment Trust is continuing and data room process for the due diligence of the Company for respective investors who have offered preliminary proposals has started. The shares contemplated to be sold through block sale method are currently being held by Vakiflar Bankasi, Vakifbank and Vakif Sistem Pazarlama respectively.
- The Savings Deposit Insurance Fund is planning to sell the commercial and economical integrity of Plato Veri Dagitim in return for the debts of Aksoy Group on 29 July 2009. According to the statement released by the Fund, offers will be accepted until 28 July 2009 and the tender will be held on 29 July 2009 at the premises of the Fund. The tender will be realized through auction and closed envelop methods.
- The Housing Development Administration of Turkey has declared that the tender for the sports complex in Seyrantepe that had been cancelled previously will be reinitiated. It has been stressed out that the offers submitted during the first attempt will not be taken into account and the most feasible offer will gain success this time.
- It has been reported that the Savings Deposit Insurance Fund will put on sale Burgaz Raki through a tender on 5 July 2009 in return for the debts of Garipoglu Group for an estimated value of TRY 82 million 500 thousand. The bidders are to deposit an amount of US\$ 8 million 250 thousand in cash as collateral. Bank guarantee letters received from the banks listed under Article 3 of the Banking Law with US\$ currency, government bonds with an amount in excess of 15% of the cash collateral, treasury bonds and bonds bearing treasury's guarantee are also accepted as collaterals for participating in the tender. The relevant specifications will be kept open for review at the premises of the Fund for free. The bidders willing to buy the specifications are required to deposit US\$ 3,000 and become allowed to pay visits to the Company's premises between the dates of 6 July-31 July and receive the info memo of Burgaz Alkollu Icecekler.
- Koc Holding has appeared on Fortune Magazine list as the 172<sup>nd</sup> largest company throughout the world. Pursuant to the dailies, compared to the last year, Koc Holding has climbed 14 ranks. The Holding has surpassed the world's giants such as Canon, Lufthansa, Walt Disney, Bridgestone, Mc Donald's, Oracle, Coca Cola, Phillip Morris, Dupont, Apple, PepsiCo and Phillips. It has been reported that Koc Holding ranks as the 19<sup>th</sup> company among those which have raised their incomes most rapidly within the past 5 years, and its revenues have grown by about 33.8%, and finally Koc Holding became the 5<sup>th</sup> largest company in energy sector throughout the world.

*The aim of this weekly newsletter is to highlight mainly the regulatory changes made by the Turkish Government during the relevant week. The content of this bulletin is limited to those areas Taboglu & Demirhan advises its clients. It contains a general summary of the changes and the areas it covers are broader. Thus, one should not rely on it for specific advice. For further information or advice please contact Taboglu & Demirhan, a full-service law firm based in Istanbul.*

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