

# TABOGLU & DEMIRHAN

## Newsletter

### **CAPITAL MARKETS UPDATES**

- Akfen Holding has applied to the Istanbul Stock Exchange for the sale of approximately 33 million shares through private placement. It has been further indicated that with the sale of shares in the value of TL 400 million, Akfen Holding's free float rate will be increased from 7.12% to 28.26% .
- According to the statement of Petkim Petrokimya Holding to the Public Disclosure Platform, Petlim Limancilik, a harbor operating company, has been established through partial spin off. The asset subject to spin off is Petkim Port involving pieces of immovable and facilities.
- According to the Istanbul Stock Exchange's reports, as a result of public offerings of 5 real estate investment companies, TL 609.2 million has been injected in real estate investment sector.
- As per the dailies, the shares of Uyum Gida with a nominal value of TL 6 million have been listed on the Istanbul Stock Exchange.
- As per the statement made by TEB to the Public Disclosure Platform, TEB has offered 1.011.518 shares in consideration of each Fortis Bank share and the merging rate has been determined as 49.90% in the planned merger. It has been previously announced that Fortis Bank will merge into TEB.
- The shares of Emlak Konut Gayrimenkul will be traded on the Istanbul Stock Exchange as of 2 December 2010. 10% will be allocated to domestic institutional, 20% will be allocated to domestic individual and 70% will be allocated to foreign institutional investors. The price is contemplated to be between the ranges TL 1.60-2.15 per share.
- The Competition Board has announced that the sale of 54% stake in Petrol Ofisi by Dogan Group to Australian OMV Energy Holding is approved.

*cont'd*

- As per the written statement made by the Bursa Chamber of Commerce and Industry, the second public offering summit which was commenced by the cooperation protocol signed by and among the Capital Markets Board, Istanbul Stock Exchange, Association of Capital Markets Intermediary Institutions and Bursa Chamber of Commerce and Industry in 2008, will be realized in Bursa province.

### **PRIVATIZATION NEWS**

As per the dailies, the Social Security Institution has initiated a tender for the sale of immovable properties which are located in Sisli and Beyoglu. The sale of immovable properties owned by the Institution will be realized through the public auction method.

### **BANKING SECTOR HIGHLIGHTS**

- International Credit Rating Agency, Moody's, has determined Sekerbank's ratings of financial power, deposit in terms of foreign currency and deposit in terms of local currency as D, positive and Ba1/ Not Prime, respectively. The Agency has determined the rating of deposit denominated in foreign currency as positive and the rest of the rating as stable.
- Pursuant to the announcement made by the Saving Deposits Insurance Fund, the tender of Adabank has been cancelled. Bank Pozitif, whose majority shares are owned by Israeli Bank Hapoalim, was the sole bidder with the bid amounting to US\$ 42 million in the tender.
- As per the public disclosure of Turkiye Halk Bankasi, the Banking Regulation and Supervision Agency has permitted the Bank to purchase the majority shareholding of Izvozna I Kreditna Banka AD Skopje established in Macedonia from Demir – Halk Bank N.V.

*cont'd*

#### *Highlights*

*a. Capital Markets Updates*

*b. Privatization News*

*c. Banking Sector Highlights*

*d. Energy Markets News*

*e. Other News*

**ENERGY MARKETS NEWS***cont'd*

- The Energy Market Regulatory Authority has completed the tender on Geyve, Ali Fuat Pasa and Pamukova natural gas distributing regions. Akmercengaz Turizm was the sole bidders in the tender.
- Pursuant to the statement made by Ihlas Holding, national long term grade of the Company has been determined as "A (Trk)" and the rating grade has been determined as stable by JCR Euroasia Rating.
- As per the statement of Ipek Matbaacilik to the Public Disclosure Platform, the Company has been granted an oil exploration license by the General Directorate of Petroleum Affairs to be effective in Siirt region.
- Pursuant to the announcement made by the Undersecretariat of Treasury, an additional loan agreement in the amount of approximately Yen 62 million for the financing of the Marmaray Project has been executed by and between the Undersecretariat of Treasury and the Japan International Cooperation Agency.
- As per the statement of Zorlu Group, one of Group companies, Meta Nikel Kobalt, will establish the first Turkish nickel refinery in Gordes region. It has been further indicated that the estimated nickel capacity in Gordes is 500 thousand tons which corresponds to US\$ 10 million. The investment is contemplated to be made in January 2011. It has also been assumed that the facility will commence its operations in the beginning of the year 2013.
- As per the dailies, Turkey has signed a partnership agreement with Lebanon regarding the establishment of a free trade zone in Lebanon. The agreement abolishes the tariff and non tariff obstacles in asset trade, determination of the rules of origin, reliance to the international rules in the application of safeguard measures and economical and technical cooperation.
- Russian Parliament has approved the agreement regarding the construction of Turkey's first nuclear power plant, Akkuyu. The agreement sets forth the construction of 4 units with a capacity of 4.8 GW.
- A lawsuit has been initiated by Bulent Soykan, a member of the Istanbul City Council, before the Istanbul Administrative Court for the cancellation of privatization of IDO on the grounds that the disposal of vessels and ports which has 30 year usufruct right by the municipality is in breach of Public Procurement Law. The plaintiff has also filed a motion for the suspension of execution.
- Akdeniz Elektrik Dagitim, which is planned to be privatized in December, has gained TL 43 million profit within the last 9 months of 2010. Akdeniz Elektrik Dagitim previously, has made investment amounting to TL 197 million to improve electricity distribution activities in the provinces of Antalya, Burdur and Isparta.
- According to the statement made by Fenis Sanayi to the Public Disclosure Platform, the Company has executed an agreement with Has Aluminyum in order to fulfill product demand.

**OTHER NEWS**

- The Competition Board has granted permission for the acquisition of certain assets of STS Uluslarasi Nakliyat by Ekol Lojistik.

*cont'd*

*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.*

**TABOGLU & DEMIRHAN****Attorneys at Law**

Levent Cad. No. 9

1. Levent, 34330, Istanbul, Turkey

E-MAIL: [enquiries@taboglu.av.tr](mailto:enquiries@taboglu.av.tr)[www.taboglu.av.tr](http://www.taboglu.av.tr)

PHONE: (212) 339 8800

FAX: (212) 339 8899