

## DECISION OF THE FINANCIAL SUPERVISORY AUTHORITY (FME)

**on a second amendment to the FME decision, dated 21 March 2009, on the disposal of assets and liabilities of Sparisjóður Reykjavíkur og nágrennis hf., ID no. 540502-2770.**

By the authority of Art. 100a of Act No. 161/2002 on Financial Undertakings, cf. Art. 5 of Act No. 125/2008 on the Authority for Treasury Disbursements due to Unusual Financial Market Circumstances etc., the FME has taken the following decision on the disposal of assets and liabilities of Sparisjóður Reykjavíkur og nágrennis hf. (SPRON hf.).

### PREMISES:

The decision of the FME of 21 March 2009 (referred to as the “prior decision” unless otherwise stated) stated that the decision was based on available information and data. Should it prove to be based on insufficient or wrong information on merits, underlying premises of the decision turn out to be fundamentally inaccurate or the FME consider a different arrangement to be necessary, the FME could make any changes to the decision, including nullifying it in whole or in part, or suspending individual components of it. The decision of the FME in this case of 5 April 2009 stated that it was necessary to revisit the prior decision to the extent to which it pertained to the execution of the transfer of assets and issuance of promissory and collateral documents. It had not proved possible to complete the transfer of assets and issuance of promissory and collateral documents within the given timeframe of the prior decision due to technical difficulties. This was a complicated project, which was more time consuming than previously believed. The success of the project was critical and it was important to have reasonable consultations with concerned parties. For these reasons it was necessary to grant an extended deadline to complete the transfer of assets and issuance of promissory and collateral documents.

The FME now considers it necessary to revisit the prior decision in light of new information and changed premises which have surfaced in the past days concerning SPRON hf. On the basis of the aforesaid the FME considers it necessary to make the following changes to its prior decision.

### DECISION:

1. Three new sentences are added to point 4 of the prior decision: In case of disagreement between the parties, the FME shall decide. The Resolution Committee of SPRON is not authorized to dispose of SPRON’s assets without the consent of the FME up to the time of issuance of promissory and collateral notes according to point 7, sentence 2, and after that time the disposal of SPRON’s assets

shall be in accordance with the terms of the documents in question. The issuance of promissory and collateral notes is subject to final FME approval.

2. A new sentence is added to point 6 of the prior decision: The Resolution Committee of SPRON is further mandated to make a service agreement with New Kaupthing Bank hf. on the servicing of loan assets.

Other provisions of the prior decision remain unchanged.

## THE FINANCIAL SUPERVISORY AUTHORITY

17 April 2009

Gunnar Haraldsson  
Chairman of the Board

Ragnar Hafliðason  
Director General