

## CURRENT REPORT FILED WITH THE POLISH FINANCIAL SUPERVISION AUTHORITY IN WARSAW

DATE: December 6th 2022

Subject: [Resolutions passed by RAFAKO Extraordinary General Meeting on December 6th 2022 \(Current Report No. 86/2022\)](#)

### Text of the report:

The Management Board of RAFAKO S.A. of Racibórz (the “**Company**”) publishes, attached to this report, the resolutions passed by the Extraordinary General Meeting of RAFAKO S.A. (the “**EGM**”) on December 6th 2022.

The Company also announces that:

1. The EGM passed:
  - i. Resolution No. 1 to appoint the Chair of the EGM,
  - ii. Resolution No. 2 to remove item 3 “Election of the Ballot Counting Committee” from the agenda of the EGM,
  - iii. Resolution No. 3 to abandon voting on the resolution to (i) increase the Company’s share capital, (ii) fully waive the pre-emptive rights of the Company’s shareholders to subscribe for new shares, and (iii) amend the Company’s Articles of Association, included in item 6 of the EGM agenda, and
  - iv. Resolution No. 4 to abandon voting on resolutions concerning change of the composition of the Company’s Supervisory Board, included in item 7 of the EGM agenda;
2. The EGM passed a resolution to remove item 3 “Election of the Ballot Counting Committee” from its agenda and no other items were removed from the agenda. However, the Company would like to explain that considering that until the date of and during the EGM:
  - i. No proposals were made regarding the terms of the resolution to (i) increase the Company’s share capital, (ii) fully waive the shareholders’ pre-emptive rights to subscribe for new shares, and (iii) amend the Articles of Association, during the EGM the resolution to (i) increase the Company’s share capital, (ii) fully waive the shareholders’ pre-emptive rights, and (iii) amend the Company’s Articles of Association was not put to vote, but item 6 of the AGM agenda: “Voting on the draft resolutions submitted by shareholders to (i) increase the Company’s share capital, (ii) fully waive the existing shareholders’ pre-emptive rights to subscribe for new shares; and (iii) amend the Company’s Articles of Association, in the ascending order based on the proposed issue price of the shares comprising the increased share capital, from the lowest to the highest price – adoption of the resolution to: (i) increase the Company’s share capital, (ii) fully waive the existing shareholders’ pre-emptive rights to subscribe for new shares; and (iii) amend the Company’s Articles of Association,” was not removed from the agenda;
  - ii. No Members of the Company’s Supervisory Board were indicated for removal and no candidates for new Member of the Company’s Supervisory Board were proposed; during the EGM the resolutions to change the composition of the Supervisory Board were not put to vote, but without removing item 7 from the

EGM agenda: "Submission by shareholders of proposals and candidates with respect to the resolutions to change the composition of the Company's Supervisory Board – adoption of resolutions to change the composition of the Company's Supervisory Board";

3. No objections were raised for the record in the minutes of the EGM;
4. All resolutions put to vote were passed by the EGM.

Legal basis:

Art 56.1.2 of the Act on Public Offering and Par. 19.1.6–9 of the Minister of Finance's Regulation on current and periodic information to be published by issuers of securities and conditions for recognition as equivalent of information whose disclosure is required under the laws of a non-member state, dated March 29th 2018.

Radosław Domagalski-Łabędzki – President of the Management Board  
Dawid Jaworski – Vice President of the Management Board