

CURRENT REPORT FILED WITH THE POLISH FINANCIAL SUPERVISION AUTHORITY IN WARSAW

DATE: March 23rd 2023

Subject: Update on Jaworzno project – extension of the term of the performance bonds [CR 24/2023]**Text of the report:**

Further to (i) Current Report No. 9/2023 of February 7th 2023 announcing that in the course of the mediation process before the Arbitration Court at the Office of the General Counsel to the Republic of Poland (the “**Arbitration Court**”), an agreement was reached on February 7th 2023 (the “**Agreement**”) between w restrukturyzacji of Racibórz (the “**Company**”), Mostostal Warszawa S.A. of Warsaw (“**Mostostal**”; and the Company and Mostostal jointly the “**Contractor**”), E003B7 Sp. z o.o. of Racibórz, a wholly-owned subsidiary of the Company (the “**Subsidiary**”), and TAURON Wytwarzanie S.A. of Jaworzno (“**TAURON Wytwarzanie**”), and (ii) Current Report No. 16/2023 of February 28th 2023 announcing that the final terms of the settlement agreement between the Contractor, the Subsidiary and TAURON Wytwarzanie had not been agreed upon by February 28th 2023 and that the Contractor, the Subsidiary and TAURON Wytwarzanie were continuing negotiations and mediation before the Arbitration Court to agree on the final terms of the settlement agreement, (iii) Current Report No. 18/2023 of March 7th 2023 announcing that the Contractor, the Subsidiary and TAURON Wytwarzanie executed Annex 1 to the Agreement (“**Annex 1**”) in the course of the mediation process before the Arbitration Court, (iv) Current Report No. 6/2023 of January 24th 2023 announcing that the validity term of the performance bonds provided under Contract No. 2013/0928/Ri for the development of new coal-fired generation capacities at TAURON Wytwarzanie S.A. – construction of a 910 MW supercritical power generation unit at the Jaworzno III Power Plant – Power Plant II: steam boiler, turbine generator set, main building, electrical and I&C systems (the “**Contract**”) was extended until March 10th 2023 and that documents confirming the extension were submitted to TAURON Wytwarzanie, (v) Current Report No. 20/2023 of March 8th 2023 announcing the extension until March 24th 2023 of the validity term of the performance bonds for the Contract, and (vi) Current Report No. 22/2023 announcing the execution of another annex, subsequent to Annex 1, to the Agreement (“**Annex 2**”), the Company’s Management Board announces that on March 23rd 2023 the validity term of the performance bonds for the Contract was extended until April 30th 2023 and that documents confirming the extension were submitted to TAURON Wytwarzanie.

The Management Board further announces that:

1. delivery of documents confirming extension of the term of the performance bonds for the Contract at least until April 28th 2023 to TAURON Wytwarzanie on March 23rd 2023 was a condition precedent to the amendments to the Agreement made under Annex 2;
2. the total amount of the performance bonds for the Contract has not changed and is PLN 549,820,561.76 (five hundred and forty-nine million, eight hundred and twenty thousand, five hundred and sixty-one złoty, 76/100);
3. the Contractor, the Subsidiary and TAURON Wytwarzanie are continuing work, in the course of the mediation process before the Arbitration Court, to agree on the contents of the settlement agreement.

Legal basis:

Article 17(1) of the Market Abuse Regulation – inside information.

Radosław Domagalski-Łabędzki – President of the Management Board

Dawid Jaworski – Vice President of the Management Board