

CURRENT REPORT FILED WITH THE POLISH FINANCIAL SUPERVISION AUTHORITY IN WARSAW

DATE: April 13th 2023

Subject: [Update on Jaworzno project – Supervisory Board grants consent to settlement agreement with TAURON Wytwarzanie \[CR No. 29/2023\].](#)

Text of the report:

Further to Current Report No. 27/2023 of March 31st 2023 announcing that in the course of the mediation process held before the Arbitration Court at the Office of the General Counsel to the Republic of Poland between the Company, Mostostal Warszawa S.A. of Warsaw, E003B7 Sp. z o.o. of Racibórz, a subsidiary wholly owned by the Company, and TAURON Wytwarzanie S.A. of Jaworzno, a settlement agreement was signed in connection with 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 “**Settlement Agreement**”, the “**Contract**”), and with reference to an amending annex to the Contract, the Management Board of RAFAKO S.A. w restrukturyzacji (in restructuring) of Racibórz (the “**Company**”) announces that on April 13th 2023 the Supervisory Board of the Company passed a resolution granting its *ex post facto* consent (*zgoda następcza*) to the Settlement Agreement and the terms and conditions provided therein.

The Management Board would like to clarify that, as stated in Current Report No. 27/2023 of March 31st 2023, obtaining the Supervisory Board’s consent to the Settlement Agreement by April 20th 2023 constituted – save for the provisions which, pursuant to the Settlement Agreement, come into force regardless of the Settlement Agreement coming into force – a condition precedent to the Settlement Agreement coming into force.

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