



GRUPA PBG

**CURRENT REPORT FILED WITH
THE POLISH FINANCIAL SUPERVISION AUTHORITY**

DATE: March 18th 2016

Subject: Establishment and change of registered pledges by RAFAKO S.A. and its subsidiary for the purposes of the Jaworzno Project

Text of the report:

Current Report No. 7/2016

Further to Current Report No. 3/2016 of February 25th 2016, in which RAFAKO S.A. of Racibórz ("Company" or "Rafako") announced the execution of an annex to the agreement for the grant of bank and insurance guarantees for the benefit of the subsidiary E003B7 Sp. z o.o. ("SPV") ("Guarantee Agreement") concluded with (i) Powszechna Kasa Oszczędności Bank Polski S.A. ("PKO BP"), (ii) Powszechny Zakład Ubezpieczeń S.A. ("PZU"), (iii) Bank Gospodarstwa Krajowego ("BGK") and (iv) mBank S.A. ("mBank", and jointly with PKO BP, PZU and BGK: "Guarantors"), concerning the project "Development of new coal-fired generation capacities at Tauron Wytwarzanie S.A. ("Employer") – Construction of a 910 MW supercritical power generating unit at the Jaworzno III Power Plant – Power Plant II " ("Jaworzno Project"), and changes to security interests established for the benefit of the Guarantors, the Company's Management Board hereby announces that the Company has received the court's decision to enter the following into the Pledge Register:

- a) change of the pledge established by Rafako over Rafako's receivables from the Employer under the Jaworzno Project contract of April 17th 2014, securing the Guarantors' claims against the SPV under the Guarantee Agreement;
- b) change of the pledge established by the SPV over its receivables under euro bank account agreements, under the agreement concluded on September 8th 2014 between the SPV and BGK as the Pledge Administrator;
- c) change of the pledge established by the SPV over a set of the SPV's movables and rights, under the agreement concluded on September 8th 2014 between the SPV and BGK as the Pledge Administrator;
- d) change of the pledges established by the SPV over transferred cash payments constituting part of the amount of remuneration payable to Rafako for the performance of the Main Contract, and part of the prepayment payable to Rafako under the Main Contract, securing the Guarantors' claims against the SPV under the Guarantee Agreement.
- e) change of the pledge established by the SPV over its receivables under bank account agreements, under the agreement concluded on September 16th 2014 between the SPV and BGK as the Pledge Administrator;

Legal basis: Art. 56.1.2 of the Public Offering Act.

Agnieszka Wasilewska-Semail, President of the Management Board
Jarosław Dusilo, Vice-President of the Management Board