

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

DATE: 24 April 2024

**Subject:** [Execution of two annexes to Contract No. NR/18/U/2019 and interim mediation agreement with JSW KOKS S.A. \[Current Report No. 18/2024\]](#)

**Text of the report:**

The Management Board of RAFAKO S.A. (the “Company”) – further to

(i) Current Report No. 47/2021 of 15 December 2021 announcing the execution of a preliminary agreement between the Company and JSW KOKS S.A. of Zabrze (“JSW KOKS”) concerning the rules of procedure for the intended mediation between them,

(ii) Current Report No. 3/2022 of 13 January 2022 announcing that the Company and JSW KOKS signed an annex to Contract No. NR/18/U/2019 of 12 June 2019 (the “Contract”), under which the Company is performing for JSW KOKS an investment project to construct a coke gas fired power generation unit at JSW KOKS S.A., Radlin Coke Plant, Branch of KKZ, in order to improve the energy efficiency at JSW KOKS S.A. (the “Investment Project”),

(iii) Current Report No. 19/2022 of 31 March 2022 announcing that the Company and JSW KOKS signed a settlement agreement (the “Settlement Agreement”) concerning the Contract and a related annex to the Contract (signed in the performance of the Settlement Agreement),

(iv) Current Report No. 20/2022 of 5 April 2022 announcing that the Company’s Supervisory Board passed a resolution to approve the execution and performance of the Settlement Agreement and the assumption by the Company of the obligations under the aforementioned documents,

(v) Current Report No. 39/2022 of 15 June 2022 announcing that the Supervisory Board of JSW KOKS and the Extraordinary General Meeting of JSW KOKS passed resolutions granting corporate approvals necessary for the execution and entry into force of the Settlement Agreement,

(vi) Current Report No. 50/2022 of 5 July 2022 announcing that the Company submitted documents evidencing the creation of security, which was a condition for entry into force of the Settlement Agreement,

(vii) Current Report No. 58/2022 of 2 August 2022 announcing that the Company was notified of a decision issued by the Regional Court of Gliwice, 10th Commercial Division, on 29 July 2022 to approve the Settlement Agreement,

(viii) Current Report No. 70/2022 of 31 August 2022 announcing that the court decision referred to above became final, and

(ix) Current Report No. 109/2023 of 3 November 2023 announcing the execution by the Company and JSW KOKS of an annex to the Contract (the “Annex”), an annex to the standstill agreement of 29 June 2023 (the “Amended Standstill Agreement”) and a lease contract concerning a part of the Company’s warehouse space located in Racibórz, at ul. Łąkowa 33, used by the Company to perform the Investment Project under the Contract (the “Lease Contract”),

hereby announces that on 24 April 2024 the Company and JSW KOKS signed two annexes to the Contract (“Annex 6C” and “Annex 6D”) and an interim mediation agreement (“Interim Agreement”).

According to Annex 6C, JSW KOKS engaged the Company to perform works identified as additional to the existing scope of the Contract, with a VAT-exclusive value of PLN 21,187,675.00. The Company and JSW KOKS agreed on the terms of performing these works, the creation of related security, their acceptance and related financial settlements. Annex 6C is conditional in nature.

It will enter into force upon the fulfilment of all of the following conditions:

- (a) the parties obtain corporate approvals necessary for the execution and entry into force of Annex 6C;
- (b) security is created;
- (c) a separate annex to the Contract is executed, in accordance with the Amended Standstill Agreement (i.e., Annex 6D, described below);
- (d) acceptances are performed between the parties confirming changes in ownership relations, as described in Annex 6B to the Contract.

Pursuant to Annex 6D, the Company and JSW KOKS decided to resolve the matters related to acceptance activities associated with the implementation of the Investment Project.

Under the Interim Agreement, the parties confirmed their willingness to continue the discussions and arrangements as part of the mediation proceedings pending before the Arbitration Court at the General Counsel to the Republic of Poland in order to resolve the discrepancies between them and any disputes which have already arisen.

Legal basis:

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

Robert Kuraszkiewicz – President of the Management Board  
Andrzej Marciniak – Member of the Management Board