

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

DATE: February 16th 2021

Subject: **Notification from STU Ergo Hestia S.A. of payment under performance bond and partial payment under advance payment guarantee to beneficiary Operator Gazociągów Przesyłowych GAZ-SYSTEM S.A. and call for payment (Current Report No. 12/2021)**

Further to Current Report No. 20/2018 of May 30th 2018 announcing the execution on May 30th 2018 of a contract with Operator Gazociągów Przesyłowych GAZ-SYSTEM S.A. (the “**Employer**”) for the project to construct the Goleniów V-Ploty section of the DN 700 Szczecin-Gdańsk gas pipeline with auxiliary facilities and the necessary infrastructure (the “**Contract**”), as well as Current Report No. 64/2020 of December 15th 2020 on receipt from the Employer of a notice of termination of the Contract, Current Report No. 66/2020 of December 28th 2020 on submission of the Company’s position regarding, *inter alia*, the Employer’s notice of termination, Current Report No. 2/2021 of January 11th 2021 announcing the submission by the Employer to Sopockie Towarzystwo Ubezpieczeń Ergo Hestia S.A. (the “**Guarantor**”) of calls for payment under: (i) performance bond guarantee No. 280000147245, of PLN 15,222,720.75, (ii) advance payment guarantee No. 280000169992, of PLN 5,000,000.00, and (iii) advance payment guarantee No. 280000169762, of PLN 7,000,000, and Current Report No. 11/2021 of February 12th 2021 announcing the receipt by the Employer of information about the following payments made by the Guarantor to the Employer: (i) PLN 15,222,720.75 under performance bond no. 280000147245, and (ii) PLN 2,755,069.19 under advance payment guarantee no. 280000169992, the Management Board of RAFAKO S.A. w restrukturyzacji (in restructuring) of Racibórz (the “**Company**”) announces that on February 16th 2021 the Company received from the Guarantor a notification of payments made by the Guarantor to the Employer – referred to in Current Report No. 11/2021 of February 12th 2021, that is: (i) PLN 15,222,720.75 under performance bond no. 280000147245, and (ii) PLN 2,755,069.19 under advance payment guarantee no. 280000169992, as well as a call for payment of the amount paid by the Guarantor to the Principal in a total amount of PLN 17,977,789.94 (seventeen million, nine hundred and seventy seven thousand, seven hundred and eighty nine złoty, 94/100).

In the Company’s opinion, the claim specified in the notification served on the Company by the Guarantor is a claim covered by the arrangement as part of the simplified restructuring procedure opened with respect to the Company.

Legal basis:

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

Radosław Domagalski-Łabędzki, President of the Management Board,  
Jarosław Pietrzyk, Vice President of the Management Board.