

CURRENT REPORT FILED WITH THE POLISH FINANCIAL SUPERVISION AUTHORITY

DATE: April 14th 2022

Subject: Settlement with Nowe Jaworzno Grupa TAURON approved by court and effective [Current Report No. 22/2022]**Text of the report:**

The Management Board of RAFAKO S.A. of Racibórz (the “**Company**”) announces – further to the Company’s: (i) Current Report No. 45/2021 of December 2nd 2021 announcing that the Company, its wholly-owned subsidiary E003B7 sp. z o.o., Mostostal Warszawa S.A. (“**Mostostal**”; the Company and Mostostal are jointly referred to as the “**Contractor**”) and Nowe Jaworzno Grupa TAURON sp. z o.o. (“**NJGT**”) executed a settlement agreement concerning Contract No. 2013/0928/Ri for ‘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**” and the “**Settlement Agreement**”), and that the Contractor and NJGT signed annexes 13 and 14 to the Contract, relating to the execution of the Settlement Agreement (“**Annex 13**” and “**Annex 14**”), and (ii) Current Report No. 46/2021 of December 10th 2021 announcing that Annex 13 took effect – that on April 14th 2022 its received an official copy of the decision issued by the Regional Court of Katowice, 13th Commercial Division, to approve the Settlement Agreement, with a finality clause (the “**Decision**”) – the Regional Court declared that the Decision is final as of March 18th 2022.

The Company’s Management Board notes that, as specified in Current Report No. 45/2021 of December 2nd 2021, final approval of the Settlement Agreement by a competent court of universal jurisdiction was one of the preconditions for the Settlement Agreement and Annex 14 to take effect.

In connection with the receipt of the Decision and the fulfilment of the other preconditions for the Settlement Agreement and Annex 14 to take effect, the Company’s Management Board notes that the Settlement Agreement and Annex 14 took effect on March 18th 2022, i.e., on the date specified in the Decision as the date as of which the Decision becomes final.

The Company announced that Annex 13 took effect in Current Report No. 46/2021 of December 10th 2021.

Legal basis:

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

Radosław Domagalski-Łabędzki – President of the Management Board
Maciej Stańczuk – Vice President of the Management Board