

CURRENT REPORT FILED WITH THE POLISH FINANCIAL SUPERVISION AUTHORITY IN WARSAW

DATE: June 3rd 2022

Subject: [Notice of amendments made, at request from shareholders, to agenda of RAFAKO Annual General Meeting convened for June 23rd 2022 \(Current Report No. 38/2022\)](#)

Contents:

The Management Board of RAFAKO S.A. of Racibórz (the “**Company**”) announces – further to Current Reports (i) No. 33/2022 of May 27th 2022 giving notice of the Company’s Annual General Meeting to be held on June 23rd 2022 at 12:00 noon, at the Company’s registered office in Racibórz, ul. Łąkowa 33 (the “**AGM**” or the “**Annual General Meeting**”), and (ii) No. 37/2022 of June 2nd 2022 announcing the receipt of a request from the Company’s shareholders PBG S.A. w restrukturyzacji (in restructuring) of Wysogotowo and Multaros Trading Company Limited of Limassol (jointly the “**Shareholders**”), submitted pursuant to Art. 401.1 of the Commercial Companies Code of September 15th 2000, to place certain matters on the agenda of the AGM (the “**Request**”) – that the agenda of the Annual General Meeting has been amended as per the Request.

Accordingly, the Management Board publishes a new agenda of the Annual General Meeting amended as per the Request:

1. Opening of the Annual General Meeting.
2. Appointment of the Chairman of the Annual General Meeting.
3. Confirmation that the Annual General Meeting has been properly convened and has the capacity to adopt resolutions.
4. Appointment of the Ballot Counting Committee.
5. Presentation of the Directors’ Report on the Company’s operations in 2021 and the Company’s financial statements for 2021.
6. Presentation of the Directors’ Report on the RAFAKO Group’s operations in 2021 and the RAFAKO Group’s consolidated financial statements for 2021.
7. Adoption of resolutions on:
 - a) review and approval of the Directors’ Report on the Company’s operations in 2021 and the Company’s financial statements for 2021;
 - b) review and approval of the Directors’ Report on the RAFAKO Group’s operations in 2021 and the RAFAKO Group’s consolidated financial statements for 2021;
 - c) review and approval of the report on the Supervisory Board’s activities in 2021, including an assessment of the Company’s standing;
 - d) grant of discharge from liability to members of the Management Board for 2021;
 - e) grant of discharge from liability to members of the Supervisory Board for 2021;
 - f) allocation of the Company’s 2021 profit,
 - g) giving an opinion on the Report of the Supervisory Board on Remuneration of Members of the Management Board and Members of the Supervisory Board for 2021,
8. Discussion of the composition of the RAFAKO Supervisory Board and adoption of resolutions on changes in its composition,
9. Closing of the Annual General Meeting.

The Management Board further notes that the amendments to the agenda of the Annual General Meeting consist in the addition in place of the existing item 8 entitled 'Closing of the Annual General Meeting' a new item 8 of the AGM agenda covered by the Request entitled 'Discussion of the composition of the RAFAKO Supervisory Board and adoption of resolutions on changes in its composition', as well as the redesignation of the existing item 8 of the AGM agenda entitled 'Closing of the Annual General Meeting' as item 9. No other amendments have been made to the agenda of the Annual General Meeting. The date and venue of the AGM have not been changed, either.

The full text of the notice convening the AGM, including the agenda of the AGM amended as per the Request, is attached as an appendix to this current report.

The Company's Management Board also publishes, attached hereto as an appendix, draft resolutions of the Annual General Meeting, together with draft resolutions relating to the item of the AGM agenda covered by the Request.

Documents to be considered by the Annual General Meeting, including the personal data protection notice, are available on the Company's website at <https://www.rafako.com.pl/relacje-inwestorskie/wza/najblizsze-wz>.

Legal basis: Art. 56.1.2a) of the Act on Public Offering, Conditions Governing the Introduction of Financial Instruments to Organised Trading, and Public Companies, dated July 29th 2005, in conjunction with Par. 19.1.3) of the Minister of Finance's Regulation on current and periodic information to be published by issuers of securities and conditions for recognition as equivalent of information whose disclosure is required under the laws of a non-member state, dated March 29th 2018.

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