

**Current report no.** 46/2020

**Date prepared:** 08-12-2020

**Subject:** Supplementary protocol from the control procedure

**Legal basis:** Article 17, section 1, of the Market Abuse Regulation – confidential information.

**Content:**

The Management Board of ACTION S.A. in restructuring (the Company, the Issuer) with reference to the current report no. 37/2020 of 11/09/2020, informs that yesterday, i.e. 7/12/2020, the Issuer was informed about the delivery of the supplementary protocol dated on 04/12/2020 to the Company Administrator, protocol on the audit of tax books of 4/09/2020, conducted as part of the control procedure by the Head of the Masovian Customs and Tax Office in Warsaw. The scope of the inspection included the examination of the accuracy of the declared tax bases and the correctness of the calculation and payment of corporate income tax for the period from 1st August 2008 to 31st December 2009, the protocol and the estimate made by the Company show that the Head of the Mazowieckie Customs and Tax Office in Warsaw questioned the CIT settlement for the audited period in the amount of PLN 7 410 thousands PLN. The head of MUCS questioned the correctness of the recognition of revenues and costs shown by the Company in connection with the transactions of purchase and sale of goods and services.

The Company also informs that in the scope of transactions covered by the above control proceedings, a VAT control procedure was previously conducted, which - after favorable for the Issuer decisions of administrative courts and the tax authority of appeal - resulted in a refund to the Company of the questioned amount of VAT (PLN 6 761 000 thousands PLN) with the provision that the Company still not receiving interest on this amount) and was finally redeemed - which is confirmed in the current report no. 13/2020 of 05/05/2020

The Issuer does not agree with the contents of the above protocol and will make appropriate reservations and explanations.