

Current report no. 6/2021

Date prepared: 11-02-2021

Subject: The decision specifying the tax liability in the income tax

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 dated on 11/09/2020 and the current report No. 46/2020 dated on 8/12/2020, informs that today, i.e. 11/02/2021, the Issuer was informed about the delivery on 10/02/2021 the representative of the Company the decision of the Head Masovian Customs and Tax Office in Warsaw dated on 3/02/2021. The decision determining the Issuer's tax liability in the corporate income tax (CIT) for the tax year from 1/08/2008 to 31/12/2009 in the amount of PLN 14 533 thousand. PLN (instead of the declared amount of PLN 8 694 thousand). Therefore, the amount of the additional tax liability resulting from the above-mentioned the decision is 5 839 thousand PLN.

According to the information previously provided by the Issuer in the above-mentioned current reports, the Head of the Mazowieckie Customs and Tax Office in Warsaw questioned the correctness of the recognition of revenues and costs disclosed by the Company in connection with the purchase and sale of goods and services.

The issuer does not agree with the above decision and will bring an appropriate appeal. At the same time, the Company emphasizes that the above-mentioned the tax liability is included in the arrangement due to the period of the liability. In the event that the described decision becomes final, the resulting amount will be repaid under the terms of the arrangement validly approved in the Issuer's restructuring proceedings.