

Current Report No. 11/2022

Date: 2022-03-28

Re: Credit agreement entered into by the Company

Legal basis: Article 17(1) MAR – disclosure requirements – inside information

Content of the Report:

The Board of Directors of ACTION S.A. (hereinafter: “the Company”, or “the Issuer”) hereby informs that today it entered into a Multi-Product Agreement No. 808/2022/00000962/00 (hereinafter: “the Agreement”) with ING Bank Śląski S.A. based in Katowice (hereinafter: “the Bank”). Under the terms of concluded Agreement, the Bank granted the Issuer a revolving credit limit (hereinafter: “the Limit”) amounting to 30,000,000 PLN with access until 28th September 2023. Within the Limit, the Bank has offered the Company access to the following financial products (hereinafter: “the Products”):

- revolving loan in PLN, EUR, and USD bank accounts for financing the Company’s current economic activity with access granted until 28th March 2023,
- bank securities in PLN, EUR, and USD issued on the Company’s request with access granted until 28th March 2023, and the securities expiring on 21st March 2024,
- letters of credit in PLN, EUR, and USD issued on the Company’s request with access granted until 28th September 2023, and the letters of credit expiring on 21st March 2024.

The Limit amount is shared by all the aforementioned Products.

Additionally, the Bank has granted the Issuer a revolving loan until 28th March 2023 in a form of revolving line amounting up to 33,000,000 PLN, which is intended for the repayment of the Company’s due payments and liabilities arising from the Products. In that case, the Bank’s receivable debt from the granted revolving loan in a form of revolving line replaces the Bank’s receivables from the earlier mentioned Products.

The financing provided under the concluded Agreement includes the Bank’s remuneration based on relevant interest rate benchmarks (WIBOR, EURIBOR, SOFR) plus the Bank’s profit margin.

Legal securities for the repayment of credit granted within the established Limit include the following: (a) registered pledge on the part of Company’s inventory of the minimum value of 49,500,000 PLN and the maximum amount of security fixed on the same amount – established by concluding a relevant registered pledge agreement, (b) assignment of rights from the insurance policy (excluding insurance against theft) covering the abovementioned inventory up to the amount of 49,500,000 PLN, (c) a power of attorney to manage assets collected on all Company’s accounts previously opened and kept by the Bank, (d) the Issuer’s declaration of submission to enforcement in pursuant to Art. 777 § 1(5) of the Polish Civil Procedure Code, which covers the Company’s obligation to pay the sum of 49,500,000 PLN.