

Current Report No: 70/2024

Release Date: 02/08/2024

Subject: Repeal of the judgment of the Provincial Administrative Court in Warsaw by the Supreme Administrative Court in Warsaw

Legal basis: Article 17(1) – of MAR confidential Information

Text of the report:

The Management Board of ACTION S.A. (hereinafter also as: the "*Issuer*", "*Company*"), with reference to current reports Current reports No. 8/2019 of 12 March 2019, 17/2022 of 20 April 2022, 60/2022 of 25 November 2022, 60/2022/K of 28 November 2022, 65/2022 of 15 December 2022, 41/2023 of 9 May 2023 and 100/2023 of 8 November 2023, informs that today it has received information about the repeal on August 1, 2024 by the Supreme Administrative Court in Warsaw of the judgment of the Provincial Administrative Court in Warsaw of November 8, 2023.

According to the content of the current reports referred to above, the above proceedings are pending in the matter of determining the Issuer's tax liability in VAT for the period from August to November 2010. The judgment of the Supreme Administrative Court results in the necessity of reconsidering this case by the Provincial Administrative Court in Warsaw.

The value of the subject matter of the dispute in this case was PLN 3,442 thousand, provided that the value for the period August – November 2010 was PLN 3,309 thousand. The receivable in this respect is covered by an arrangement by operation of law and is subject to repayment on the terms specified in the legally approved arrangement in the completed restructuring proceedings of the Issuer. To this extent, the above receivable was covered by a provision for the 2017 financial year.