

## **Current Report no. 18/2017 of 10.07.2017**

### **Subject:**

Entering into an agreement by the Issuer's Subsidiary

### **Legal basis:**

Article 17(1) of the Regulation (EU) No. 596/2014 of the European Parliament and of the Council of 16 April 2014 on market abuse (market abuse regulation) and repealing Directive 2003/6/EC of the European Parliament and of the Council and Commission Directives 2003/124/EC, 2003/125/EC and 2004/72/EC

### **Content of the report:**

The Management Board of Elektrociepłownia „Będzin” S.A. (the “Company”, the “Issuer”) informs that today, i.e. on 10 July 2017, it was notified by the Issuer's subsidiary – Energetyczne Towarzystwo Finansowo-Leasingowe ENERGO – UTECH Spółka Akcyjna with the registered office in Poznań (the “Subsidiary”) that the Subsidiary had entered on 10 July 2017 into a lease agreement with MROZPAK sp. z o.o. with the registered office in Bytom (the “Lessee”), the net value of which amounts to PLN 16,927,262.61 (say: sixteen million nine hundred twenty seven thousand two hundred and sixty two zlotys).

The provisions of the Agreement do not differ from those commonly used in the market.

#### **1. Date of entering into the Agreement - 10 July 2017**

#### **2. Designation of parties to the Agreement**

- Energetyczne Towarzystwo Finansowo-Leasingowe Energo – Utech Spółka Akcyjna with the registered office in Poznań
- MROZPAK spółka z ograniczoną odpowiedzialnością with the registered office in Bytom

#### **3. Designation of the subject of the Agreement**

Lease agreement for a multi-function production line for frozen bakery products, along with technological installations.

#### **4. Essential terms of the Agreement**

Net value: PLN 16,927,262.61 (say: sixteen million nine hundred twenty seven thousand two hundred and sixty two zlotys). The final value of the object of lease will be defined in detail after all the invoices are issued by the seller and after all the costs are determined till the moment of signing an acceptance certificate, including FX differences.

Term of Contract: 66 months from the date of signing a certificate of handing over of the object of lease.

The lease rents will be paid by the Lessee on a monthly basis.

Interest rate: The interest rate on the agreement is variable, based on the WIBOR 3M rate.

The Agreement is secured with:

- blank promissory note issued by the Lessee with a promissory note agreement,
- civil law suretyship,
- guarantee of buyback of the object of lease.

The Subsidiary may withdraw from the Agreement if any of the securities is not established, fails or is diminished.

The other provisions of the Agreement do not differ from those commonly used in this type of agreements.

#### **5. Provisions on penalties**

The Agreement stipulates that in the case of the withdrawal by the Subsidiary from the Agreement, the Lessee shall pay to the Subsidiary a contractual penalty of PLN 1,000,000.00 within 14 days of the demand date.

#### **6. Stipulations as to condition or deadline**

The Agreement does not include stipulations as to any condition or deadline.

#### **7. Designation of the agreement**

The Issuer's Management Board decided to publish the aforementioned information due to the significant value of the agreement to the Issuer.

#### **Signatures:**

Krzysztof Kwiatkowski - President of the Management Board