

Current Report no. 10/2020 of 04.05.2020

Subject:

Placing certain issues on the agenda of the Extraordinary General Meeting of Shareholders of Elektrociepłownia „Będzin” S.A., convened to be held on 25 May 2020, at the request of Shareholders under Article 401 § 1 of the Commercial Companies Code. Announcing a new agenda with the specification of new items and the content of draft resolutions.

Legal basis:

Article 56 (1) (2) of the Act of 29 July 2005 on Public Offering – current and periodic information

Content of the report:

The Management Board of Elektrociepłownia „Będzin” S.A. (hereinafter the “Company”) informs that on 30 April 2020 the Company received a request of 28 April 2020 submitted by the Shareholders – Familiar S.A. SICAV-SIF and Value Fundusz Inwestycyjny Zamknięty. The request was submitted pursuant to Article 401 § 1 of the Commercial Companies Code and concerned the placement of the following items on the agenda of the Extraordinary General Meeting of the Company, convened to be held on 25 May 2020:

1. Adoption of a resolution on the determination of the number of members of the Supervisory Board in connection with the election of the Supervisory Board by a vote in separate groups.
2. Adoption of a resolution on the election of members of the Supervisory Board by a vote in separate groups and delegation of selected members to independently perform supervisory tasks on a permanent basis.
3. Adoption of a resolution on the election of members of the Supervisory Board pursuant to Article 385 § 6 of the Commercial Companies Code (supplementary election).

Pursuant to Article 401 § 2 of the Commercial Companies Code, in connection with the request submitted by the Shareholders in the letter of 28 April 2020 under Article 401 § 1 of the Commercial Companies Code for placing the aforementioned issues on the agenda of the Extraordinary General Meeting of the Company, convened to be held on 25 May 2020, the Management Board of the Company adopted Resolution no. 6/2020 under which it decided:

1. to supplement the agenda of the Extraordinary General Meeting of the Company, convened to be held on 25 May 2020, by adding the following items:
 - 1) Adoption of a resolution on the determination of the number of members of the Supervisory Board in connection with the election of the Supervisory Board by a vote in separate groups.
 - 2) Adoption of a resolution on the election of members of the Supervisory Board by a vote in separate groups and delegation of selected members to independently perform supervisory tasks on a permanent basis.
 - 3) Adoption of a resolution on the election of members of the Supervisory Board pursuant to Article 385 § 6 of the Commercial Companies Code (supplementary election).
2. to supplement documents of the Extraordinary General Meeting of the Company with draft resolutions submitted along with the aforementioned request of the Shareholders,
3. to announce changes to the agenda of the Extraordinary General Meeting of the Company, convened to be held on 25 May 2020, as described in Point 1 of the Resolution.

All the information regarding the Extraordinary General Meeting (including the supplemented notice of convening the Extraordinary General Meeting of the Shareholders of Elektrociepłownia „Będzin” S.A., a form to exercise the voting right by proxy and draft resolutions) have been published and are available on the website at www.ecbedzin.pl.

Detailed legal basis:

Article 56 (1) (2) of the Act of 29 July 2005 on Public Offering, Conditions Governing the Introduction of Financial Instruments to Organised Trading and Public Companies (consolidated text of 22 February 2019, Journal of Laws of 2019 No. 623, as amended) in conjunction with § 19 (1) (1), (2), (3) and (4) of the Regulation of the Minister of Finance of 29 March 2018 on Current and Periodic Information Published by Issuers of Securities and Conditions for Recognising Information Required by the Laws of a Non-Member State as Equivalent (Journal of Laws of 2018 item 757) – current and periodic information.

Signatures:

Krzysztof Kwiatkowski – President of the Management Board

Bartosz Dryjski – Member of the Management Board