

## **Current report no 11/2020**

### **Refusal to issue an individual interpretation to the application submitted by Stalexport Autostrada Małopolska S.A.**

In reference to Current Report No. 35/2019 of 23 December 2019, the Management Board of Stalexport Autostrady S.A. ("**Company**" or "**Issuer**") informs that today a subsidiary of the Issuer – Stalexport Autostrada Małopolska S.A. ("**SAM**" or "**Applicant**") – received the Decision of the Director of the National Revenue Administration ("**NRA**") of 6 March 2020 ("**Decision**") concerning SAM's application of 23 December of 2019 for an individual interpretation, the essential element of which was to resolve whether payments to the National Road Fund, constituting the State Treasury's Share in profits under the project on the concession section of the A4 motorway may be classified by SAM as tax deductible expenses for the purpose of application of the Act of 15 February 1992 on Corporate Income Tax (consolidated text: *Dziennik Ustaw* [Polish Journal of Laws] of 2019, item 865, as amended).

In his Decision, the Director of the NRA refused to issue an interpretation, indicating that, in his opinion, an interpretation – in the scope requested by the Applicant – would not concern the provisions of tax law, but rather the actual state, which, in his opinion, does not fall within the subject matter of an individual interpretation.

The Management Board of SAM analyses the Decision received and considers further course of action, including legal, related thereto.

#### **Legal basis:**

**Article 17 (1) of 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.**