

Report No. 1/2019

Reply of the General Director for National Roads and Motorways to the request of Stalexport Autostrada Małopolska S.A. (A4 motorway concessionaire at the section Katowice-Cracow) for changing the motorway toll rate for vehicles of categories 2, 3, 4, and 5.

With reference to current reports No. 21/2018 and No. 22/2018 of 20 December 2018, the Management Board of Stalexport Autostrady S.A. with the registered office in Mysłowice (hereinafter: Issuer) informs that, on 15 January 2019, Stalexport Autostrada Małopolska S.A. with the registered office in Mysłowice (a 100% subsidiary of Stalexport Autoroute S.à r.l. with its registered office in Luxembourg, which in turn is a 100% subsidiary of the Issuer), received a letter of the General Director for National Roads and Motorways being a reply to the request of Stalexport Autostrada Małopolska S.A. with the registered office in Mysłowice (hereinafter SAM S.A. or the Concessionaire) for changing the motorway toll rate for vehicles of categories 2, 3, 4, and 5.

In the received letter, the General Director for National Roads and Motorways states that in the absence of contractual and legal basis for the rejection of the request of SAM S.A., the General Director for National Roads and Motorways does not refuse the right of the Concessionaire to increase the tolls for the Toll Motorway, resulting from the Concession Agreement, because according to the provisions of Annex 6 to the Concession Agreement the right is within the range of Concessionaire's powers.

Moreover the Management Board of the Issuer informs that the Management Board of SAM S.A. decided to increase, as of 1 March 2019, the toll rate for vehicles of categories 2, 3, 4, and 5 from the amount of PLN 30 to PLN 35 at each toll plaza, i.e. in Mysłowice and Balice.

Currently, for vehicles of categories 2, 3, a discount is applied on the above mentioned toll rate (i.e. PLN 30), amounting to PLN 12. The amount of the discount to be applicable for these vehicles from 1 March 2019 on will be subject to separate consultations with the General Director for National Roads and Motorways.

The Concession Agreement referred to above is the agreement of 19 September 1997 (originally entered into between the Issuer and the Ministry of Transport and Maritime Economy) for the construction, through adaptation to the requirements of a toll motorway, of the A4 motorway at the section: Katowice (Murckowska junction, km 340.2) – Cracow (Balice junction, km 401.1) of a length of 60.9 km, and for the operation of the motorway at this section, along with amendments made on the basis of subsequent annexes, the rights and obligations under which were transferred in entirety on 28 July 2004 from the Issuer to SAM S.A., whereof the Issuer informed in current report No. 59 of 29 July 2004.

Legal basis

Article 17.1 of Regulation of the European Parliament and of the Council EU No. 596/2014 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.