

Report no. 43/2020

Complaint to the Provincial Administrative Court in Gliwice against the Decision of the Director of the National Revenue Administration to uphold the decision on refusal to issue Stalexport Autostrada Małopolska S.A. an individual interpretation regarding payments to the National Road Fund

In reference to current report no. 35/2019 of 23 December 2019, report no. 11/2020 of 11 March 2020, report no. 13/2020 of 19 March 2020 and report no. 33/2020 of 25 May 2020, the Management Board of Stalexport Autostrady S.A. (“**Issuer**”) informs that on 23 June 2020 it was informed by the Issuer’s subsidiary – Stalexport Autostrada Małopolska S.A. (“**SAM**”) on submitting on 23 June 2020, by proxy of SAM, a complaint to the Provincial Administrative Court in Gliwice against the decision of the Director of the National Revenue Administration of 15 May 2020 to uphold the decision on refusal to issue Stalexport Autostrada Małopolska S.A. an individual interpretation regarding payments to the National Road Fund.

The main subject of the above interpretation - which SAM applied for in its application of 23 December 2019 - is to decide whether payments to the National Road Fund, constituting the State Treasury’s share in the profits from the project on the concession section of the A4 motorway, may be classified by SAM as tax deductible expenses for the purpose of applying the Act of 15 February 1992 on corporate income tax (consolidated text: Dz. U. [Polish Journal of Laws] of 2019, item 865, as amended).

Legal basis:

Art. 17 sec. 1 of the 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.