

Polish Oil and Gas Company (PGNiG SA)  
Head Office

Warsaw, December 23rd 2020

### **Current Report No. 68/2020**

Warsaw, December 23rd 2020

Information on the rejection by the Svea Court of Appeal in Stockholm of the complaint of Gazprom PJSC and Gazprom export LLC to set aside the partial award of the Arbitral Tribunal issued in arbitral proceedings regarding the revision of the contract price for gas supplied by Gazprom PJSC and Gazprom export LLC under the Yamal Contract

Current report No. 68/2020

The management board of Polskie Górnictwo Naftowe i Gazownictwo S.A. ("PGNiG" or the "Company"), in relation to current report No. 48/2018 dated 2 October 2018 informing about the submission by Gazprom PJSC and Gazprom export LLC (jointly referred to as "Gazprom") of a complaint to set aside the partial award of the ad hoc Arbitral Tribunal in Stockholm dated 29 June 2018 issued in arbitral proceedings brought by PGNiG against Gazprom regarding the revision of the contract price for gas supplied by Gazprom under the contract for the sale of natural gas to the Republic of Poland of 25 September 1996 ("Gazprom's Complaint"), hereby announces that by way of a ruling dated 23 December 2020 (the "Ruling"), the Svea Court of Appeal in Stockholm:

1. dismissed Gazprom's Complaint as inadmissible due to formal reasons with regard to the decision of the Tribunal on jurisdiction and the Tribunal's mandate to change the contract price,
2. dismissed as unjustified Gazprom's Complaint in the remaining part, regarding the decision of the Tribunal confirming the validity of PGNiG's price revision request and that the contractual prerequisites entitling PGNiG to demand a downward revision of the contract price have been met and
3. ordered Gazprom to reimburse PGNiG's legal representation costs.

The Ruling is final and binding. Pursuant to Article 43 section 2 of the Swedish Arbitration Act of 1999, the Svea Court of Appeal did not grant consent to appeal the Ruling to the Supreme Court, because in its view the matter is not of a precedent nature.

Proceedings regarding Gazprom's complaint to set aside the final award of the Arbitral Tribunal of 30 March 2020, referred to in the Company's current report No. 25/2020

of 2 June 2020, are pending, but in view of the Company the said complaint is groundless and should be dismissed.

Legal basis:

Article 17 section 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.