

POLISH FINANCIAL SUPERVISION AUTHORITY

Current Report No. 5/2013

Date of issue: 22.02.2013
Short name of the issuer: ELEKTROTIM S.A.
Subject: Contracts concluded with the Roads and the City Maintenance Authority in Wrocław
Legal grounds: Article 56, section 1, subsection 2 of the Public Offering Act – current and periodical information

Content of the Report:

Having regard to Article 9, subsection 8) of the Ordinance of the Minister of Finance of 19.02.2009 on current and periodical information, the Board of ELEKTROTIM S.A. notifies that in the last 12 months it concluded Contracts with the Roads and the City Maintenance Authority having its seat in Wrocław for the total net amount of PLN 8,014,854.00 (say: eight million, fourteen thousand, eight hundred fifty four PLN, 00/100), which is the basis for transferring this Report due to the criterion of the size of equities of ELEKTROTIM S.A. (the concluded contracts exceed 10% of equities of the Company).

Latest Contract concluded with the same entity is the Contract signed on 22.02.2013 which subject is "Running upkeep and maintenance of traffic lights and related devices in Wrocław - task No. 1 - area A". The worth of the subject of the above-mentioned Contract is PLN 4,222,662.70 net (say: four million, two hundred twenty two thousand, six hundred sixty two PLN, 70/100). The completion by ELEKTROTIM S.A. of executing the above-mentioned Contract is due at 31 December 2014.

Pursuant to Article 9, subsection 8) of the Ordinance of the Minister of Finance of 19.02.2009 on current and periodical information, the Board provides information specified in Article 9, subsection 5) - contractual penalties - in connection to the contract of the highest value, i.e. the Contract concluded on 22.02.2013 for Running upkeep and maintenance of traffic lights and related devices in Wrocław - task No. 1 - area A". In case of failure to perform or improper performance of contractual duties Parties reserve the right to implement contractual penalties in the following cases and of the following amounts: ELEKTROTIM S.A. shall pay to the Ordering Party the contractual penalty: a) for the delay in executing individual orders - in the amount of PLN 500.00 for a given order for each began day, b) for not repairing faults registered by the Ordering Party at the final commissioning of each order or revealed in the guarantee period in the amount of PLN 250.00 for a given order for each began day, from the moment the term for repairing the fault expires, c) for not repairing the faults within the additional term the penalty shall be increased to PLN 7,000, d) in case of non-performance of any one

of duties defined in the Technical Specification in the amount of PLN 500.00 or PLN 1,000.00 (subject to the section in the Specification), e) for withdrawing from the Contract by the Ordering Party due to reasons attributable to the Contractor - 10% of the remuneration.

The Ordering Party reserved in the Contract the possibility of seeking supplementary compensation transferring the reserved contractual penalties.

The Contract shall be considered as a reference contract if the total value of all contracts with the Roads and City Maintenance Authority in Wrocław concluded within last 12 months exceeds 10% of equity of ELEKTROTIM S.A.