

Current Report No.: 29/2024

Date of Preparation: 3 July 2024

Issuer's Abbreviated Name: ENEA S.A.

Legal Basis: Article 56(1)(2) of the Act on Offerings – current and periodic information

Subject: Recommendations of the ENEA S.A. Supervisory Board regarding the refusal to grant a discharge to former Members of the ENEA S.A. Management Board for the financial year 2023

Body of the report:

The Management Board of ENEA S.A. (“Company”) hereby reports that on 3 July 2024 the Supervisory Board of the Company adopted resolutions by which: (i) it issued a negative assessment of the activities of the former members of the Company’s Management Board who were in office during the financial year 2023; and (ii) it recommends to the Ordinary General Meeting of the Company to adopt resolutions refusing to grant a discharge on the performance of their duties in the financial year 2023.

The negative assessment and the recommendation to refuse to grant a discharge concerns all the former member of the Company’s Management Board who were in office in 2023.

As grounds for adopting these resolutions, the Supervisory Board pointed out that the former members of the Company's Management Board had breached their duty of due care in managing the Company’s affairs, thereby exposing the Company to the risk of material damages of at least “great magnitude”. It was noted that these breaches related to:

- 1) negligence in the pursuit of compensation for damages that arose in connection with the Company’s involvement in the project of building a coal-fired unit at the Ostrołęka Power Plant;
- 2) failure to take appropriate measures against the Polish National Foundation,
- 3) negligence in the supervision of subsidiaries in the performance of an agreement with a fuel supplier (Arkan Impex General Trading).

Enclosed the Company provides the wording of draft resolutions to refuse to grant a discharge to the former members of the Company’s Management Board on the performance of their duties in the financial year 2023.

SIGNATURES OF THE COMPANY’S REPRESENTATIVES:

Date	Name	Position/Function	Signature
3 July 2024	Bartosz Krysta	Management Board Member	Bartosz Krysta
3 July 2024	Dalida Gepfert	Management Board Member	Dalida Gepfert