

ESPI
Current report 22/2020

of 12 October 2020

Title:	Submission of a request to include changes in the agenda of the Extraordinary General Meeting of the Company convened for 28 October 2020 made pursuant to Article 401(1) of the Commercial Companies Code
Legal basis:	Article 56(1)(2) of the Public Offering Act – current and periodic information
Content:	<p>With reference to the current report No. 21/2020, the Management Board of ASM GROUP S.A. based in Warsaw (“Company”) informs that it received from the shareholder of the Company – Mr Adam Stańczak, representing at least one twentieth of the share capital of the Company, a request to place, pursuant to Article 401(1) of the Commercial Companies Code, the following matters on the agenda of the Extraordinary General Meeting of the Company convened for 28 October 2020:</p> <ol style="list-style-type: none">1) adopting a resolution on obliging the Management Board of the Company to present a recovery plan by the Management Board of the Company, possibly, when such a plan is prepared, presentation by the Management Board of a recovery plan and a discussion on this subject, including a discussion on attracting an investor to recapitalise the Company;2) adopting a resolution on adopting and approving the Company’s Strategy and the Company’s Long-Term Financial Plan for 2020-2026;3) adopting a resolution on the number of members of the Supervisory Board of the Company;4) election of the Company’s Supervisory Board by voting in separate groups:<ol style="list-style-type: none">a) appointment of members of the Company’s Supervisory Board by voting in separate groups pursuant to Article 385(5) of the Commercial Companies Code, including the election of the Chairman of the Shareholders and the Returning Committee for the groups of shareholders that have been formed,b) delegation by groups of Supervisory Board members to permanent individual performance of supervisory activities pursuant to Article 390 (2) of the Commercial Companies Code,c) appointment of other members of the Supervisory Board of the Company pursuant to Article 385(6) of the Commercial Companies Code. <p>In connection with the above, the Management Board of the Company, pursuant to Article 401(2) of the Commercial Companies Code, supplements the agenda of the Extraordinary General Meeting of the Company convened for 28 October 2020 and, as a result, the entire agenda is as follows:</p> <ol style="list-style-type: none">1) Opening of the General Meeting.2) Election of the Chairman of the General Meeting.3) Confirmation that the Extraordinary General Meeting has been duly convened and is capable of adopting resolutions.4) Adoption of the agenda.5) Adoption of a resolution on the continued existence of ASM GROUP S.A.6) Adopting a resolution on obliging the Management Board of the Company to present a recovery plan by the Management Board of the Company, possibly, when such a plan is prepared, presentation by the Management Board of a recovery plan and a discussion on this subject, including a discussion on attracting an investor to recapitalise the Company;

	<p>7) Adopting a resolution on adopting and approving the Company’s Strategy and the Company’s Long-Term Financial Plan for 2020-2026;</p> <p>8) Adopting a resolution on the number of members of the Supervisory Board of the Company;</p> <p>9) Election of the Company’s Supervisory Board by voting in separate groups:</p> <p>a) Appointment of members of the Company’s Supervisory Board by voting in separate groups pursuant to Article 385(5) of the Commercial Companies Code, including the election of the Chairman of the Shareholders and the Returning Committee for the groups of shareholders that have been formed.</p> <p>b) delegation by groups of Supervisory Board members to permanent individual performance of supervisory activities pursuant to Article 390 (2) of the Commercial Companies Code,</p> <p>c) appointment of other members of the Supervisory Board of the Company pursuant to Article 385(6) of the Commercial Companies Code.</p> <p>10) Closing of the General Meeting.</p> <p>The Company encloses draft resolutions which the shareholder has attached to the request to include certain matters in the agenda of the Extraordinary General Meeting of the Company convened for 28 October 2020. The drafts were also made available on the Company’s website.</p>
Persons representing the Issuer:	<p>Dorota Kenny – President of the Management Board</p> <p>Jacek Pawlak – Member of the Management Board</p>