Subject:
Amendments to the agenda of the Extraordinary General Meeting at a shareholder’s request

Legal basis:
Article 56(1)(2) of the Offering Act – current and periodic disclosures

Report contents:

The Management Board of BEST S.A. (hereinafter referred to as the “Issuer”), acting pursuant to Article 401 §1 and §2 of the Commercial Companies Code, hereby reports that the agenda of the Issuer’s Ordinary General Meeting (hereinafter referred to as the “OGM”) convened on 28 June 2019 at 11:00 a.m., has been amended in such a way that the following new item 18 was added: “Adoption of a resolution amending provisions in § 21 of the Company’s Statute” and changing the numbering of points 18-20 to 19-21.

The above amendment is made at a request of shareholder Krzysztof Borusowski, submitted to the Issuer’s Management Board on 07 June 2019, which was the last day when entitled shareholders were able to make requests to amend the agenda of the OGM. No other requests were made by other entitled shareholders by this deadline. The request in question is attached hereto.

Taking into account the foregoing, the final content of the agenda of the EGM is as follows:

1. Opening of the Meeting.
2. Appointment of the Chairman of the General Meeting.
3. Declaration that the General Meeting was convened correctly and is capable of adopting resolutions.
5. Adoption of the agenda.
7. Submission by the Supervisory Board of a written report on the assessment of:
   a) the Company’s financial statements for 2018,
   b) consolidated financial statements of BEST S.A. Capital Group for 2018,
   c) management report of the Capital Group and of BEST S.A. for 2018,
   d) the Management Board’s proposal on the allocation of the Company’s profit for 2018.
8. Presentation by the Supervisory Board of:
   a) an assessment of the Company’s situation, including an assessment of the internal control system, risk management, compliance and the internal audit function;
   b) Supervisory Board Report for 2018;
   c) an assessment of the Company’s fulfillment of its disclosure obligations concerning the application of corporate governance, as specified in the WSE Rules as well as the laws on current and periodic information to be submitted by issuers of securities;
   d) an assessment of the Company’s sponsorship policy.
9. Adoption of a resolution on approving the Company’s financial statements for 2018.
10. Adoption of a resolution on approving the consolidated financial statements of BEST S.A. Capital Group for 2018.
11. Adoption of a resolution on approving the management report of the Capital Group and of BEST S.A. for 2018.
12. Adoption of a resolution on approving the BEST S.A. Supervisory Board report for 2018.
14. Adoption of resolutions on acknowledging the fulfillment of duties by members of the Company’s corporate
15. Adoption of a resolution on adopting of rules of the Company’s Key Management Incentive Scheme.

16. Adoption of a resolution on: (i) the issue of series D subscription warrants with the right to acquire series H shares, (ii) the conditional increase of the share capital through the issue of series H shares, (iii) the exclusion of the subscription right to series D subscription warrants and to series H shares to enable participants of the Company’s Key Management Incentive Scheme to acquire shares, (iv) the authorisation of the Company’s bodies and (v) the amendment of the Company’s Statute with regard to the conditional increase of the Company’s share capital.

17. Adoption of a resolution on amending the Company’s Statute with regard to authorising the Management Board to increase the share capital within the limit of the target capital and with the exclusion of the subscription right of existing shareholders.

18. Adoption of a resolution amending provisions in § 21 of the Company’s Statute.

19. Adoption of a resolution on adopting the consolidated text of the Company’s Statute.

20. Any other business.


Annexes:

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<th>File</th>
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<tr>
<td>Wniosek akcjonariusza.pdf (Shareholder's request)</td>
<td>Shareholder's request to amend the agenda</td>
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<td>07/06/2019</td>
<td>Marek Kucner</td>
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<td>07/06/2019</td>
<td>Jacek Zawadzki</td>
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REQUEST OF A SHAREHOLDER TO ADD AN ITEM TO THE AGENDA OF THE ORDINARY GENERAL MEETING

Acting on my own behalf as a shareholder of BEST S.A. with its registered office in Gdynia (hereinafter: “Company”), holding 1,680,000 registered shares of the Company which represent at least 1/20 of share capital, pursuant to Article 401 §1 of the Commercial Companies Code of 15 September 2000, (Journal of Laws 2019.505, consolidated text, as amended), I hereby request that an item is added to the agenda of the Ordinary General Meeting (hereinafter: the “OGM”) convened on 28/06/2019 by a current report no. 10/2019 of 29/05/2018, the said item being:

• Adoption of a resolution amending provisions in § 21 of the Company’s Statute as follows:

“Resolution no. [__]
of the Ordinary General Meeting of BEST S.A.
of 28 June 2019
amending provisions in § 21 of the Company’s Statute.

Pursuant to Article 430 § 1 of the Commercial Companies Code, in conjunction with § 13(2)(1) of the Statute of BEST S.A., it is resolved as follows:

§1

The Ordinary General Meeting of Shareholders of BEST S.A. amends § 21 of the Company’s Statute as follows:

1. The Company’s Management Board consists of between three and six members, appointed and removed by the Supervisory Board at the request of the President of the Management Board for a joint term of three years. The number of members is specified by the Supervisory Board, as requested by the President of the Management Board. Appointing a given person as a Member of the Company’s Management Board, the Supervisory Board determines the responsibilities of such a person (President of the Management Board, Vice-President of the Management Board, Member of the Management Board), as requested by the President of the Management Board.

2. If the President of the Management Board fails to submit the requests mentioned in §21(1) above, the Supervisory Board shall be entitled to act in this respect on its own initiative.

§2

The resolution comes into force upon its adoption."
My status as a shareholder entitled to submit this Request is certified by the share register maintained by the Company.

In view of the above, I request as written above.

Krzysztof Borusowski