

Słodownia Soufflet Polska Sp. z o.o.

**Information on the tax strategy implemented in the tax year
ended 30 June 2023**



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I. OBLIGATION TO PREPARE AND PUBLISH INFORMATION ON THE IMPLEMENTED TAX STRATEGY

On 1 January 2021, regulations concerning an obligation for selected CIT payers to prepare and publish information on the tax strategy implemented in a tax year were incorporated into the Corporate Income Tax Act of 15 February 1992 (hereinafter: **the CIT Act**).

This document aims at meeting the obligation to prepare and publish information on the tax strategy implemented by Słodownia Soufflet Polska Sp. z o.o. (hereinafter: **the Company**) for the Company's tax year from 1 July 2022 to 30 June 2023 pursuant to Article 27c of the CIT Act.

This information on the tax strategy has been drawn up in Polish and published on the Group's website, available at: <https://www.malteries-soufflet.com/en/implantations/pologne>, within the time limit prescribed by the CIT Act, namely by the end of the twelfth month following the tax year end, i.e. by 30 June 2024.

Within the aforementioned time limit, the Company also provided the head of the competent tax office with information on the exact address of the website where this information is available.

Pursuant to Article 27c.2 of the CIT Act, information on the tax strategy implemented by the Company in the aforementioned tax year does not include any data representing trade, industrial, professional or production process secrets.

II. GENERAL INFORMATION

The Company is entered in the National Court Register under number 0000048261. The Company's NIP tax code is: 7822054497. The Company was assigned REGON statistical code: 631172505.

The Company's registered office is in Poznań, at ul. Szwajcarska 13, 61-285 Poznań.

The Company is part of the Soufflet Group (hereinafter: **the Group**) which is part of the Invivo Group since, on December 9th, 2021, INVIVO completed the acquisition of 100% of Soufflet Group.

The INVIVO Group is a French cooperative leading group created in 1945 and operating under its actual form since 2001, active in the supply of agricultural furniture, collection and sale of cereals (wheat, barley, soja and rapeseed). It operates in the international trading market of cereals via its subsidiaries Soufflet Negoce S.A.S and Soufflet Negoce by Invivo S.A.S.

For the fiscal year 2022-2023, the group registered a turnover of 12,4 billion €, operating in 36 countries and employs 14 394 persons.

For more than 20 years, the Company has specialised in the production of top-quality Pilsen malt for the brewing industry for breweries operating throughout Europe.

The Company also sells waste – by-products that arise from the reception and cleaning of barley (residue) and from the production of malt (sprouts).

For many years, the Company has been the leading barley malt producer in Poland. The production of barley malt is based on the latest, proven, carefully selected grain suppliers and specialised staff. The Company's top priority is the highest quality.

The Company is a corporate income tax (CIT) payer with unlimited tax liability.

At the same time, the Company conducts business operations in Poland subject to goods and services tax (VAT) and is registered as an active VAT payer and EU VAT payer.

III. DETAILED INFORMATION ON THE TAX STRATEGY

3.1 Processes and procedures concerning management of tax-related obligations

The Company takes a cautious approach to the tax compliance management. When any tax risks arise, they are identified, assessed and appropriately managed by authorised persons.

At the same time, in case of doubts related to tax issues, the Company takes advantage of the support of specialised entities (e.g. it obtains tax opinions from tax advisors), and if recommended, may apply for individual advance tax rulings. In such case, it follows the obtained advance tax rulings as long as the legal status and the factual situation in the Company, underlying the said advance tax rulings, are valid.

In order to properly manage the tax compliance, the Company has procedures and applies specific rules related to certain areas of tax law.

The Company keeps tax records in accordance with the applicable regulations on the time limits for keeping such records, including, in part, an extended period. The records are kept partly in paper form (at the Company's registered office) and partly in electronic form.

Below the Company provides information in this respect, with particular emphasis on the policies and procedures relating to major categories of taxes payable by the Company, namely corporate income tax (CIT), goods and services tax (VAT) and personal income tax (PIT) as well as procedures which the Company is obliged to have in place under specific tax laws.

3.1.1. Corporate Income Tax

As a CIT payer, the Company makes every effort to comply with its obligations arising under the CIT Act and its secondary legislation. In particular, during the tax year, the Company verifies whether it is obliged to pay monthly income tax advances or pays advances calculated in a simplified manner (if such method is selected for a given tax year), and after the end of the year, it submits annual returns on the amount of income generated or loss incurred in the tax year as well as it calculates and pays income tax (if a chargeable event occurs), within the time limits prescribed by law.

The procedures and measures applied by the Company allow it to determine which revenues and/or expenses do not constitute taxable income / tax-deductible costs within the meaning of the CIT Act as well as in which periods they should be recognised. In other words, during the so-called ongoing validation of expenses, both cost transactions, listed in Article 16.1 of the CIT Act, and other transactions subject to exclusion from tax-deductible costs, are recognised by the Company as non-tax-deductible costs. An analogous validation is performed with respect to revenues (taxable income vs. non-taxable income).

At the same time, the Company has internal tools for the correct fulfilment of the above-mentioned obligations. In particular, the Company uses an internally developed file supporting correct tax calculations and payments for monthly periods and after the end of the year.

The Company also fulfils its transfer pricing obligations, i.e. it prepares transfer pricing documentation and complies with the reporting obligations in this respect. The Company also uses the support of a tax advisory firm to ensure that its documentation-related obligations in this area are properly met.

As part of its compliance with the tax-related obligations stipulated in the CIT Act, the Company also meets a number of obligations in respect of withholding tax if transactions subject to this tax occur in a given period.

If recommended, the Company may also apply for opinions of the tax authorities concerning withholding tax. In such case, it follows the obtained opinions as long as the factual situation in the Company, underlying the said opinion, is valid or until the opinion expires.

Furthermore, the Company works together with an external entity verifying (auditing) its financial statements every year. As a rule, this process also includes the verification of the procedures applied by the Company to its CIT calculations and payments on the basis of discussions and arrangements with the Company representatives.

In addition, if any doubts are identified which may affect the method of tax calculation and payment or the correct fulfilment of tax-related obligations, the Company engages tax advisors and tax advisory firms to provide their services. This way, in the case of any ambiguity as to the tax law application, the Company follows the advice and recommendations of professional specialists relying on the tax doctrine and applicable standpoint of tax authorities and administrative courts.

3.1.2. Goods and services tax (VAT)

As an active VAT and EU VAT payer, the Company performs a number of VAT-related obligations. In particular, the Company documents its sales with invoices containing specific elements stipulated in the VAT Act, applies the relevant VAT rates and keeps records of sales and purchases. Furthermore, the Company submits documents on a monthly basis: JPK_VAT standard audit files with a declaration part and EC sales lists, as well as pays VAT arising from VAT returns (if it is obligated to pay it in a given reporting period) to the tax office within the time limits prescribed by law and in the correct amount. If necessary, the Company makes adjustments in this area. In addition, the Company updates its data on an ongoing basis, specifically data disclosed in the list of VAT payers (e.g. bank account numbers).

The Company has internal tools for the correct fulfilment of the above-mentioned obligations. In particular, the so-called tax codes, assigned to individual sales transactions, have been implemented in the accounting system. Each operation has a system tax code, assigned when the operation is posted to the books by employees of the financial department, which is the basis for recording economic events for the purpose of correct VAT calculation.

With the help of the Group, the Company performs a detailed verification of business partners with which it co-operates. Such verification is based on the information and documents provided by the business partner before the co-operation begins, where one of the stages is checking the consistency of data concerning a given business partner with the information recorded in IT registers and taken from the databases of the Ministry of Finance (e.g. the so-called white list). In addition, as a rule, the Company confirms the registration and VAT number of the business partner in the VIES system.

Furthermore, the Company verifies the status of business partners as VAT payers and numbers of their bank accounts to which payments are made and generally blocks payment transfers in the event of irregularities identified on the basis of data contained in the list of VAT payers.

The Company also has appropriate processes in place to correctly identify and fulfil its obligations under the so-called 'split payment mechanism'.

In order to ensure the proper performance of the aforementioned obligations – as in the case of CIT-related obligations – the Company takes advantage of the services provided by tax advisors and tax advisory firms supporting the Company in the area of doubtful issues related to VAT.

3.1.3. Personal Income Tax

The Company acts as a PIT payer with respect to the persons employed by the Company and performs the related obligations under the Personal Income Tax Act. In particular, the Company pays advances for personal income tax and submits appropriate PIT returns as well as calculates and pays contributions relating to its employees to the Social Insurance Institution in accordance with the time limits prescribed by the applicable regulations.

At the same time, personal income tax obligations are performed by an authorised external representative under an agreement for the provision of payroll administration services. The agreement provides expert knowledge and safe solutions as regards the application of local law according to ISO standards, compliance with international standards for data safety and information management as well as compliance with applicable personal income tax laws and regulations.

In order to ensure the proper performance of the aforementioned obligations – as in the case of CIT- and VAT-related obligations – the Company takes advantage of the services provided by tax advisors supporting the Company in the area of doubtful issues related to taxes.

3.1.4. Mandatory Disclosure Rules compliance procedure

The Company has an internal procedure related to the Mandatory Disclosure Rules (MDR) in order to prevent non-compliance with these Rules. The procedure allows, in particular, for the correct identification of the obligation to make the disclosure to the Head of the National Revenue Administration and to fulfil obligations in this respect in a timely manner.

The obligation to have and apply this procedure is stipulated in Article 86l of the Tax Code.

The procedure contains elements and information resulting from applicable regulations in this respect. In particular, the Company's internal procedure includes:

- determination of actions or activities undertaken to prevent non-compliance with the Mandatory Disclosure Rules;
- determination of measures applied for proper compliance with the Mandatory Disclosure Rules;
- determination of rules for storing documents and information;
- determination of rules for performance of obligations involving making disclosures to the Head of the National Revenue Administration;
- determination of rules for dissemination of knowledge on the Mandatory Disclosure Rules among the employees;
- determination of rules for reporting of actual or potential violations of the Mandatory Disclosure Rules by the employees;
- determination of rules for internal control or audit of Mandatory Disclosure Rules compliance and rules of conduct set out in the internal procedure.

3.2. Voluntary forms of co-operation with National Revenue Administration authorities

3.2.1. Co-operation within the Co-operation Programme

The Company does not use any voluntary form of co-operation with the National Revenue Administration authorities as part of the Co-operation Programme prescribed by the Tax Code.

3.2.2. Other forms of co-operation with tax authorities

The Company co-operates with the National Revenue Administration authorities in terms of ongoing tax calculations and payments, during inspections and examinations carried out at the Company as well as during inspections and examinations carried out at the Company's business partners as part of the cross-checks. The Company makes every effort to be transparent vis-à-vis the tax authorities and provide exhaustive answers and explanations as well as provide the required documents in due time.

Furthermore, the Company takes advantage of tools useful in performance of its tax-related obligations provided by the tax authorities such as tax explanations or information and explanations posted on the websites of the National Revenue Administration authorities.

If it has significant doubts in the area of tax law application, the Company may apply for individual advance tax rulings and if it obtains them, it complies with the rulings provided by the tax authority as long as the legal status and factual status presented in these rulings are valid.

3.3. Tax-related obligations in Poland and Mandatory Disclosure Rules

3.3.1. Tax-related obligations

The Company performs a number of tax-related obligations in Poland it is obliged to perform under the applicable tax laws.

The main categories of taxes paid / withheld by the Company in Poland are: corporate income tax, goods and services tax (VAT) and personal income tax – with respect to persons employed by the Company. Information on the Company's obligations and rules related to calculations and payments of these taxes are described in sections 3.1.1. through 3.1.3. above.

Moreover, the Company performs a number of documentation and reporting obligations in Poland in respect of tax issues. Namely, the Company submits annual income tax returns and monthly VAT returns. In addition, in the tax year ended 30 June 2023, the Company paid monthly income tax advances at the actual amount, i.e. it did not apply the simplified method.

Notwithstanding the above, the Company also performs other types of tax-related obligations in Poland.

In the tax year ended 30 June 2023, its obligation concerned real estate tax, and – as a rule – the Company submits appropriate real estate tax returns each year as well as pays this tax on time.

At the same time, the Company fulfils its transfer pricing obligations, which include preparing the local file, having the master file, submitting statements on preparation of the local file and submitting transfer pricing information forms (TPR-C). As far as the tax year ended 30 June 2023 is concerned, these obligations were fulfilled by the Company within the time limits prescribed by law.

The Company also fulfils specific reporting obligations under the tax statutory acts. For instance, it submits IFT-2R and CIT-10Z information forms in connection with payments subject to withholding tax.

As a rule, the aforementioned obligations are correctly fulfilled by the Company and within the time limits prescribed by statutory acts.

In addition, in the analysed tax year the Company met its obligations under the tax-related statutory acts. In particular, the Company monitored the obligation to update the information submitted to the Central Register of Beneficial Owners pursuant to the Act of 1 March 2018 on the prevention of money laundering and terrorist financing, if applicable, fulfilled this obligation and filed information on a group of entities (CBC-P) pursuant to the Act of 9 March 2017 on the exchange of tax information with other countries.

3.3.2. Mandatory Disclosure Rules

In the tax year ended 30 June 2023, the Company did not make any mandatory disclosures, referred to in Article 86a.1.10 of the Tax Code, to the Head of the National Revenue Administration.

4. Information on related party transactions the value of which exceeds 5% of the asset balance sheet total within the meaning of accounting regulations

In the tax year ended 30 June 2023, the Company made sales transactions involving goods for resale and finished goods with related parties based in Brazil and the United Kingdom, the value of which exceeded 5% of the asset balance sheet total within the meaning of the accounting regulations.

Moreover, in the tax year ended 30 June 2023, the Company made sales transactions, the value of which exceeded 5% of the asset balance sheet total within the meaning of the accounting regulations, in respect of a service transaction with a related party based in France.

In addition, in the tax year ended 30 June 2023, the Company made purchase transactions involving the purchase of production raw materials from related parties based in Poland and the Czech Republic, the value of which exceeded 5% of the asset balance sheet total within the meaning of the accounting regulations.

5. Restructuring activities that may affect tax liabilities of the Company or its related parties

In the tax year ended 30 June 2023, the Company did not plan or did not take any restructuring activities that might affect the amount of tax liabilities of the Company or its related parties.

6. Advance tax rulings, binding rate information and binding excise duty information

In the tax year ended 30 June 2023, the Company obtained an advance tax ruling concerning withholding tax and taxation manner under the Corporate Income Tax Act related to the transactions with an unrelated party, in which the authority found the Company's position to be correct.

At the same time, in the tax year ended 30 June 2023, the Company did not obtain and did not apply for a general advance tax ruling, binding rate information or binding excise duty information.

7. Tax settlements in territories or countries applying harmful tax competition

In the tax year ended 30 June 2023, the Company did not make any tax settlements in territories or countries applying harmful tax competition.

This information about the tax strategy implemented by the Company in the tax year ended 30 June 2023 has been approved and signed using a qualified electronic signature by the Company's Chief Accountant.