

CURRENT REPORT

No. 12/2016

**KOFOLA ČESKOSLOVENSKO A.S.**

7 November 2016

*Report pursuant to Clause 125(1) of the Act No. 256/2004 Coll., the Czech Capital Markets Act, as amended (inside information).*

**Dividend payment for 2016**

On 7 November 2016, The Board of Directors of Kofola ČeskoSlovensko a.s. (“the Company”) decided that part of the profit for the period started from January 1, 2016 to September 30, 2016 in the amount of **CZK 156,065,000** shall be distributed as the advanced payment for the profit share of the year 2016 to the shareholders of the Company, acting pursuant to art 40(2) Code 90/2012 of Commercial Companies. The advanced payment for the profit share to be distributed thus amounts to **7 CZK per Company’s share** in nominal value of CZK 100 before tax.

The relevant date to exercise a right to advanced payment of the profit share is **November 7, 2016**.

A person that will be registered as the shareholder of the Company on the relevant date to exercise a right to advanced payment for the profit share according to the extract from issuer’s records administered by the Central Securities Depository acquired by the Company shall be entitled to exercise the right to advanced payment for the profit share.

The advanced payment for the profit share shall be paid through **Česká spořitelna, a.s.**, the company with its registered seat in Prague 4, Olbrachtova 1929/62, P.C. 140 00, ID No.: 452 44 782, registered in the Commercial Register administered by the Municipal Court in Prague, Section B, insert 1171 (hereinafter referred to as “**Česká spořitelna**”).

All the original documents for payment send to the address for correspondence:

Česká spořitelna, a.s. – central office in Prague

8430 Back office of investment products

Budějovická 1518/13b

140 00 Prague 4

Information on the email address: [nsmidova@csas.cz](mailto:nsmidova@csas.cz)

The advanced payment for the profit share will be paid out in the following way:

**i) Shareholder – legal entity**

Advanced payment for the profit share will be paid to shareholder – a legal entity by transfer to its bank account with a bank in the Czech Republic based on request in writing delivered to Česká spořitelna; signatures of persons on such request who constitute the statutory body eventually of members of the statutory body authorized to represent the shareholder or shareholder’s representative under a power of attorney must be certified.

Request of the shareholder must include:

- a) shareholder's bank account number;
- b) name of bank maintaining the shareholder's bank account.

Shareholder shall present an original of excerpt from Commercial Registry or other equivalent registry (not older than 3 months) eventually a certified copy evidencing authority of person or persons representing the shareholder – legal entity.

Shareholder's proxy which is a legal entity must present an original excerpt from Commercial Registry or other equivalent registry (not older than 3 months) eventually a certified copy evidencing authority of persons who constitute the statutory body eventually of members of the statutory body authorized to represent the shareholder's proxy.

If the shareholder is represented based on a power of attorney or a substitute power of attorney, shareholder's signature in his position of principal and signature of proxies on eventual substitute power of attorney must be certified.

An individual representing the shareholder shall prove his identity by presenting a valid personal ID card.

**ii) Shareholder – natural person**

Advanced payment for the profit share will be paid to shareholder – natural person:

- a) in cash at any branch of Česká spořitelna in the Czech Republic based on presenting a valid personal ID card; or
- b) through transfer to shareholder's bank account maintained by a bank in the Czech Republic based on a request in writing delivered to Česká spořitelna.

Shareholder's request under letter b) above must include:

- a) shareholder's bank account number;
- b) name of bank maintaining shareholder's bank account.

Signature of the shareholder or shareholder's proxy under a power of attorney on the request under letter b) above must be certified in situation where the gross advanced payment for the profit share exceeds CZK 1,000.

Shareholder or an individual representing the shareholder under a power of attorney shall prove his identity by presenting a valid personal ID card.

Shareholder's proxy which is a legal entity must present an original excerpt from Commercial Registry or other equivalent registry (not older than 3 months) eventually a certified copy evidencing authority of persons who constitute the statutory body eventually of members of the statutory body authorized to represent the shareholder's proxy.

If the shareholder is represented based on a power of attorney or a substitute power of attorney, shareholder's signature in his position of principal and signature of proxies on eventual substitute power of attorney must be certified.

**iii) Shareholders represented by custodians of securities or participants maintaining a derivative registry**

Custodians of securities and participants maintaining a derivative registry shall be paid the advanced payment for the profit share to their bank account maintained with a bank in the Czech Republic based on a request in writing delivered to Česká spořitelna with certified signatures of persons on such request who constitute the statutory body eventually of members of the statutory body authorized to represent the custodian or the participant. Request in writing must include an affidavit regarding the tax residency of the beneficial owners of the advanced payment for the profit share income to whom the custody service is provided or the derivative registry is maintained. Request in writing must include also bank account number and name of the bank maintaining the bank account. An original excerpt from Commercial Registry or other equivalent registry (not older than 3 months) eventually a certified copy thereof shall be delivered to Česká spořitelna together with such request in writing.

**iv) Conditions common to all shareholders**

Tax will be withheld in accordance with the terms set forth by the applicable generally binding legal regulations (mainly Act No. 586/1992 Coll., Income Tax Act, as amended („**Income Tax Act** “)) eventually in accordance with the applicable double tax treaties between the Czech Republic and state of the tax residency of the beneficial owner of the advanced payment for the profit share income.

If a shareholder wants to apply benefits introduced by the relevant double tax treaty, eventually the Income Tax Act, shall prove, i.e. submit with the request, mainly the following:

- An up-to-date tax residency certificate in the particular state issued by the foreign tax authority;
- An affidavit of a foreign person stating that the particular income is considered its own income pursuant to applicable tax laws of the other state;
- Evidence proving satisfaction of other conditions pursuant to applicable double tax treaty, eventually the Income Tax Act.

If a shareholder is a tax transparent entity, it is required that satisfaction of conditions for applying the benefits of the applicable double tax treaty, eventually the Income Tax Act are similarly proved by particular shareholders, beneficiaries, partners (collectively „shareholders “), including evidencing which particular share in the profits payable to the tax transparent entity is attributed to the particular shareholder.

If a shareholder, eventually a shareholder of a tax transparent entity, fails to prove satisfaction of the given conditions, rules of the Income Tax Act governing taxation of residents of non-treaty states shall be applied.

If a shareholder (a natural person) is a Czech tax resident, tax residency certificated issued by the tax authority may be replaced by an affidavit on tax residency; shareholder shall also present a valid personal ID card issued by the Czech Republic.

## MANDATORY DISCLOSURE OF INFORMATION



If a shareholder (a legal entity) is a Czech tax resident, tax residency certificated issued by the tax authority may be replaced by an affidavit on tax residency; shareholder shall also present an actual original Commercial Registry excerpt to prove that its seat is in the Czech Republic.

If the above-mentioned documents are in other than Czech or Slovak language, the shareholder or custodian of securities is obliged to provide at its own costs the translation into the Czech language (official translation is not required).

The advanced payment is payable on **December 5, 2016** and shall be paid to shareholder's bank account without undue delay as soon as Česká spořitelna receives the shareholder's request within the meaning of the foregoing paragraphs.

The advanced payment for profit share will be paid until December 5, 2019.

For more information, please contact:

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