



27 September 2022

M/s Boursa Kuwait

Subject: Appeals no. 1927 and 1933 for the year 2018

Reference to the above mentioned subject; and in accordance with Chapter 10 of the Capital Markets Authority's bylaws of Law No. 7 of the year 2010 on Disclosure and Transparency as well as its subsequent amendments and resolutions, Agility would like to announce:

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| Date | 27 September 2022 |
| Company Name | Agility Public Warehousing Company KSCP ("Agility") / for its Subsidiary Global Clearing House Systems ("Global") |
| Case Electronic Number Case Number | 140520190 3- 1927/2018 Administrative /2 filed by Global 4- 1933/2018 Administrative/2 filed by the Undersecretary of the Ministry of Finance in his capacity as the Manager of the Custom Administration and General Manager for the General Administration of Customs in his capacity |
| Case Subject | <p>In Case No. 760/2014 Administrative/6 filed by Global, requesting the delegation of the Experts Department at the Ministry of Justice to review the computer system at the General Administration of Customs to indicate the amount of vehicle handling fees.</p> <p>And the secondary lawsuit filed by the Director General of the General Administration of Customs demanding Global to comply with the price list attached to the bidding contract without any increase or decrease.</p> <p>And Case No. 4242/2014 Administrative/6 filed by the Director General of the General Administration of Customs requesting the establishment of a fund responsible to develop project mechanisms and for the company to pay the customs an amount of KD 500,000 for developing project mechanisms at customs ports on a regular basis, and obligating the company to pay the customs an amount of KD 21,242,023 for the fines owed by the company as of February 9, 2005, and the company to pay the customs an amount of KD 50,000 for the annual allocation to the fund.</p> <p>And Case No. 4246/2014 Administrative/6 filed by the Director General of the General Administration of Customs requesting request to compel the company to pay to the customs an amount of KD 1,805,001 being the difference in payments due for the project manager's fees from 8/2006 to 8/2011, and obligating the company to pay the customs an amount of KD 2,025,636 being differences due to the project manager's fees for the period from 8/2011 to 8/2014, and obligating the company to pay the customs an amount of KD 42,991,419 for the differences due from Global as of February 9, 2005 as a result of its failure to pay the project manager's fees with a cumulative delay fine of 1% per week, and the company is obligated to pay the monthly payments due for the project manager's fees until the end of the contract.</p> <p>And Case No. 3276/2015 Administrative/6 filed by the Director General of the General Administration of Customs with the same requests in Case No. 4242/2014 Administrative/6.</p> <p>And Case No. 3280/2015 Administrative/6 filed by the Director General of the General Administration of Customs with the same requests received in Case No. 4246/2014 Administrative/6.</p> |
| Date of the decision | 26 September 2022 |

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| Court Issuing the decision | Court of Appeal – Administrative- Individuals / Contracts/2 |
| Parties involved | <ul style="list-style-type: none"> - Undersecretary Ministry of Finance in his capacity - General Manager for the General Administration of Customs in his capacity - Global Clearing House Systems |
| Decision in favor of | Undersecretary Ministry of Finance in his capacity and General Manager for the General Administration of Customs in his capacity |
| First Instance court decision | The court ruled: accepting the case in form, and rejecting it in substance, and requested Global Clearing House Systems to pay the expenses and ten dinars in return for attorney fees. |
| Appeal court decision | <p>The court ruled:</p> <p>First: ending the litigation in the first appeal, and the company to pay the expenses and ten dinars for attorney fees.</p> <p>Second: By accepting the second appeal in form, and in the matter canceling the appealed judgment with regard to what was included in its judgment in the requests from the first to the fourth and once again obligating the appellee company to establish the project development fund and to pay for the appealed administration an amount of twelve million four hundred and forty-three thousand six hundred and forty-two dinars, and by rejecting the appeal and upholding the appealed judgment, and compelled them to expenses and ten dinars for attorney fees.</p> |
| Cassation Court Decision | NA |
| Financial Impact | The company will challenge this decision in the court of Cassation, including the request to hold the execution of this decision until the court of Cassation says its ruling and if the ruling came against the company then the Company will have to pay the above amounts to the customs. |

Best Regards,



Tarek Abdul Aziz Sultan Al Essa
Vice Chairman and CEO

