

**DECLARATION ON THE EXCEPTIONAL CIRCUMSTANCES ARISING FROM  
THE OUTBREAK OF COVID-19 PANDEMIC IN THE KINGDOM OF SPAIN**

**To Whom It May Concern**

I, Mr. Álvaro Alonso Ordás, acting on behalf of the **OFFICIAL CHAMBER OF COMMERCE, INDUSTRY, SERVICES AND NAVIGATION OF GIJÓN**, in my capacity as Secretary General, by virtue of the legal powers vested upon this Chamber of Commerce under article 5.1 a), b) and d) of Law 4/2014, of April 1, of Chambers of Commerce, Industry, Services and Navigation, at the request of **[Company name]** (the "**Company**"), hereby

**DECLARE**

That the Company, with VAT number **[incluir CIF]**, validly incorporated under the laws of Spain with registered office in **[incluir domicilio social]**, is associated with this Chamber of Commerce pursuant to article 7.1 of Law 4/2014, of April 1, of Chambers of Commerce, Industry, Services and Navigation.

That, on 30 January 2020, the World Health Organisation ("**WHO**") declared the COVID-19 outbreak to be a public health emergency on an international scale.

That, on 11 March 2020, the WHO confirmed that the COVID-19 outbreak had risen to the level of a pandemic.

That Spain reacted to this situation by passing, amongst others, the following main extraordinary regulations: (i) Royal Decree 463/2020 of 14 March declaring a **state of emergency** to address the COVID-19 health crisis, which came into immediate effect and was then amended by Royal Decree 465/2020 of 17 March and Royal Decree 476/2020 of 27 March (the "State of Emergency RD" or the "RD 463/2020"); (ii) Royal Decree-Law 8/2020 of 17 March on urgent extraordinary measures to address the social and economic impact of COVID-19 ("RDL 8/2020"), which was partially modified by RDL 11/2020, as defined below; (iii) Royal Decree-Law 9/2020 of 27 March adopting supplementary labour-related measures to mitigate the effects of the COVID-19 health crisis ("RDL 9/2020"); (iv) Royal Decree-Law 10/2020 of 29 March on recoverable paid leave for employees who do not provide essential services, in order to reduce population mobility in the context of the fight against COVID-19 ("RDL 10/2020"); and finally (v) Royal Decree-Law 11/2020 of 31 March on additional urgent measures to address the social and economic impact of COVID-19 ("RDL 11/2020").

That, pursuant to the above mentioned regulations, a number of measures have been implemented to contain the spread of the disease, including, but not limited to: (i) suspending all non-essential economic activity from Monday 30 March to Thursday 9 April 2020 by means of RDL 10/2020; (ii) limiting freedom of movement of the public while the state of emergency is in effect, save for a

series of activities such as commuting to work and for other professional or business activities with regard to those services that have not been suspended under RDL 10/2020; (iii) suspending in-person education for all centres and ages, cycles, grades, courses and teaching levels, including university education, together with any other educational or training activities at other public or private centres; and (iv) suspending, in general, the activities of retail premises and establishments, together with hotels and restaurants, except for home delivery services.

That the virus outbreak, coupled with the severe measures taken in efforts to try and contain it briefly described above, result in a supply shock with a drastic impact on productive capacity. That shock translates into a reduction in the inputs needed for manufacturing. Other factors shutting down activity are the lockdown of most of the available workforce, who cannot work remotely or travel, and the general closure order affecting commercial establishments other than those selling food, essential goods and pharmaceutical or health products. In short, the regular flow of goods, work and services on the territory of Spain has been severely impaired. This impairment falls outside the sphere of control of Spanish companies.

That this Chamber of Commerce acknowledges receipt of the responsible declaration submitted by the Company<sup>1</sup> stating that, as a result of the exceptional circumstances set out above and, in particular, the restrictions imposed and the state of emergency in progress, it was unable to fulfil its contractual obligations vis-à-vis third parties timely and in due form and that this failure to comply results from unpredictable reasons independent of the Company's will and ability.

In Gijón, on [date]

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Mr. Álvaro Alonso Ordás

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<sup>1</sup> *The Chamber of Commerce did not check the facts and events laid out in the Company's responsible declaration upon which this document was issued and therefore assumes no liability whatsoever for the completeness, accuracy and veracity of said facts and events.*