

Report on other legal and regulatory requirements
Taxpayer's Tax Situation Report

December 31, 2019

To the Board of Directors and the Shareholders
To the Ministry of Finance and Public Credit (*Secretaría de Hacienda y Crédito Público*)
To the Tax Administration Service (*Servicio de Administración Tributaria*) (SAT)
To the General Administration of Large Taxpayers (*Administración General de Grandes Contribuyentes*)

CEMEX, S.A.B. de C.V.

1. I issue this report in relation to the audit that I made under International Standards on Auditing (ISA), of the financial statements prepared by CEMEX, S.A.B. de C.V.'s management in accordance with articles 32-A of the Federation's Tax Code (*Código Fiscal de la Federación*) (CFF), article 58 sections I, IV and V of the CFF Rules (RCFF), rules 2.13.7., 2.13.15. of the Miscellaneous Fiscal Resolution for 2020 (RMF) and with the integration and characteristics instructions, and the forms for the presentation of the opinion on the financial statements for tax effects contained in Annex 16A of the RMF.

In accordance with this audit, I issued an unqualified report dated August 28, 2020.

2. Exclusively for what is mentioned in this section 2, I declare under oath, based on articles 52 section III of the CFF, 57 and 58 section III of the RCFF and rule 2.13.16 of the RMF that:
 - a. In relation to the audit performed in accordance to the ISA, regarding CEMEX, S.A.B. de C.V.'s ("the Company" or "the tax payer") financial statements, for the year ended December 31, 2019, to which I refer to on section 1., I issued an opinion without qualifications that affect the determination, calculation and payment of taxes or federal contributions.
 - b. As part as my audit, described in the section 1., I reviewed the additional information and documents prepared by and under responsibility of the Company, in accordance with article 32-A of the CFF, 58 sections I, IV and V of the RCFF and rules 2.13.7., 2.13.15. of the RMF and with the forms and the integration and characteristics instructions for the presentation of the opinion on the financial statements for tax effects contained in Annex 16A of the RMF, which is submitted by means of the System of Presentation of the Tax Opinion 2019 (*Sistema de Presentación del Dictamen Fiscal*) (SIPRED) via Internet to the SAT. I have audited this information and documentation through selective tests, using the applicable auditing procedures, within the required scope to be able to express my opinion of the financial statements as a whole, in accordance with the ISA. Such information is included for the exclusive use and analysis by the General Administration of Large Taxpayers. Based on my audit, I express the following:
 - i. Within the following tests carried out in compliance with the ISA, I reviewed the taxpayer's tax situation referred to in article 58, section V of the RCFF, rule 2.13.19. and section XVI of rule 2.13.16 of the RMF, for the period that the financial statements cover, and within the reach of my selective tests, I observed that the goods and services acquired or sold by or granted for use or enjoyment to the Company, were effectively received, delivered or given, respectively. In

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accordance to Section II of rule 2.13.16 of the RMF, the tests I applied did not test compliance with customs or foreign trade regulations.

In my work files, there is evidence of the audit procedures applied to the corresponding sections selected by sampling, which support the conclusions reached.

- ii. I verified, based on the selective tests and the ISA, the calculation and payment of the federal contributions arising during the fiscal year, included in the taxpayer's contributions ledger as a direct obligor or as a withholder.

Due to the fact that the Company does not have employees, no employer contributions payable to the Mexican Institute of Social Welfare (*Instituto Mexicano del Seguro Social*) (IMSS) derived from wages were identified.

- iii. I reviewed the amounts and concepts shown in the following annexes, having regard for their nature and mechanics applied in previous fiscal years:

- Reconciliation of the accounting result and the tax result for Income Tax (*Impuesto Sobre la Renta*) (ISR) purposes and
- Reconciliation of the stated income, according to the comprehensive income statement, revenues for ISR effects and the sum in value of acts or transactions for value added tax (*Impuesto al Valor Agregado*) (IVA) purposes corresponding to the definitive monthly payments made in the fiscal year that ended on December 31, 2019.

- iv. I reviewed the complementary tax returns of which I had knowledge, and which were submitted by the taxpayer for tax differences in the fiscal year under analysis, and I confirmed that they were presented in accordance with tax regulations. Likewise, I reviewed the complementary tax returns of which I had knowledge and which were submitted by the taxpayer in the fiscal year under analysis to modify those of previous fiscal years, and I confirmed that that they were presented in accordance with tax provisions as described below:

| Contribution for which a complementary declaration was presented | Fiscal year or period | Modified Concepts | Comes from transactions with related parties | Presentation Date | Difference on base, rate or tariff |
|---|------------------------------|--------------------------|---|--------------------------|---|
| ISR | Fiscal Year 2014 | Tax charge | N/A | September 9, 2019 | Base |
| ISR | Fiscal Year 2014 | Tax charge | N/A | September 9, 2019 | Base |
| ISR | Fiscal Year 2014 | Tax charge | N/A | November 20, 2019 | Base |

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| | | | | | |
|-----|------------------|------------|-----|-------------------|------|
| ISR | Fiscal Year 2014 | Tax charge | N/A | November 20, 2019 | Base |
| ISR | Fiscal Year 2014 | Tax charge | N/A | December 17, 2019 | Base |
| ISR | Fiscal Year 2014 | Tax charge | N/A | December 17, 2019 | Base |
| IVA | April 2014 | Tax charge | N/A | November 20, 2019 | Base |
| IVA | June 2014 | Tax charge | N/A | November 20, 2019 | Base |
| IVA | July 2014 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | July 2014 | Tax charge | N/A | November 20, 2019 | Base |
| IVA | August 2014 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | August 2014 | Tax charge | N/A | September 3, 2019 | Base |
| IVA | August 2014 | Tax charge | N/A | November 20, 2019 | Base |
| IVA | September 2014 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | November 2014 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | November 2014 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | December 2014 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | December 2014 | Tax charge | N/A | September 3, 2019 | Base |
| IVA | December 2014 | Tax charge | N/A | December 15, 2019 | Base |

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| | | | | | |
|-----|------------------|------------|-----|-------------------|------|
| ISR | Fiscal Year 2015 | Tax charge | N/A | September 9, 2019 | Base |
| ISR | Fiscal Year 2015 | Tax charge | N/A | September 9, 2019 | Base |
| ISR | Fiscal Year 2015 | Tax charge | N/A | December 17, 2019 | Base |
| ISR | Fiscal Year 2015 | Tax charge | N/A | December 17, 2019 | Base |
| IVA | February 2015 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | March 2015 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | March 2015 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | April 2015 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | April 2015 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | May 2015 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | June 2015 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | June 2015 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | July 2015 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | July 2015 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | August 2015 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | August 2015 | Tax charge | N/A | December 15, 2019 | Base |

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| | | | | | |
|-----|------------------|------------|-----|-------------------|------|
| IVA | October 2015 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | October 2015 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | November 2015 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | December 2015 | Tax charge | N/A | September 2, 2019 | Base |
| ISR | Fiscal Year 2016 | Tax charge | N/A | September 9, 2019 | Base |
| ISR | Fiscal Year 2016 | Tax charge | N/A | September 9, 2019 | Base |
| ISR | Fiscal Year 2016 | Tax charge | N/A | December 17, 2019 | Base |
| ISR | Fiscal Year 2016 | Tax charge | N/A | December 17, 2019 | Base |
| IVA | January 2016 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | February 2016 | Tax charge | N/A | September 2, 2019 | Base |
| IVA | February 2016 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | April 2016 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | May 2016 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | June 2016 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | July 2016 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | October 2016 | Tax charge | N/A | December 15, 2019 | Base |

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|-----|------------------|------------|-----|-------------------|------|
| IVA | November 2016 | Tax charge | N/A | December 15, 2019 | Base |
| ISR | Fiscal Year 2017 | Tax charge | N/A | September 9, 2019 | Base |
| ISR | Fiscal Year 2017 | Tax charge | N/A | September 9, 2019 | Base |
| IVA | February 2017 | Tax charge | N/A | December 15, 2019 | Base |
| IVA | March 2017 | Tax charge | N/A | December 15, 2019 | Base |
| ISR | April 2017 | Tax charge | N/A | December 15, 2019 | Base |
| ISR | Fiscal Year 2018 | Tax charge | N/A | September 5, 2019 | Base |
| ISR | Fiscal Year 2018 | Tax charge | N/A | September 5, 2019 | Base |
| IVA | January 2019 | Tax charge | N/A | February 17, 2019 | Base |
| IVA | January 2019 | Tax charge | N/A | April 11, 2019 | Base |
| IVA | February 2019 | Tax charge | N/A | March 15, 2019 | Base |
| IVA | February 2019 | Tax charge | N/A | April 12, 2019 | Base |
| IVA | March 2019 | Tax charge | N/A | April 15, 2019 | Base |
| IVA | March 2019 | Tax charge | N/A | August 12, 2019 | Base |
| ISR | April 2019 | Tax charge | N/A | May 17, 2019 | N/A |
| ISR | April 2019 | Tax charge | N/A | May 17, 2019 | N/A |

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| | | | | | |
|-----|----------------|------------|-----|--------------------|-----|
| ISR | April 2019 | Tax charge | N/A | May 17, 2019 | N/A |
| ISR | April 2019 | Tax charge | N/A | May 17, 2019 | N/A |
| ISR | April 2019 | Tax charge | N/A | May 17, 2019 | N/A |
| IVA | April 2019 | Tax charge | N/A | May 17, 2019 | N/A |
| IVA | April 2019 | Tax charge | N/A | August 17, 2019 | N/A |
| IVA | May 2019 | Tax charge | N/A | June 17, 2019 | N/A |
| IVA | May 2019 | Tax charge | N/A | August 17, 2019 | N/A |
| IVA | June 2019 | Tax charge | N/A | July 16, 2019 | N/A |
| IVA | June 2019 | Tax charge | N/A | September 17, 2019 | N/A |
| IVA | July 2019 | Tax charge | N/A | August 19, 2019 | N/A |
| IVA | August 2019 | Tax charge | N/A | September 17, 2019 | N/A |
| IVA | September 2019 | Tax charge | N/A | October 17, 2019 | N/A |
| IVA | October 2019 | Tax charge | N/A | November 19, 2019 | N/A |
| IVA | November 2019 | Tax charge | N/A | December 17, 2019 | N/A |
| IVA | December 2019 | Tax charge | N/A | January 17, 2020 | N/A |
| IVA | December 2019 | Tax charge | N/A | February 17, 2020 | N/A |

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| | | | | | |
|-----|------------------|------------|-----|---------------|-----|
| ISR | December 2019 | Tax charge | N/A | July 13, 2020 | N/A |
| ISR | Fiscal Year 2019 | Tax charge | N/A | July 15, 2020 | N/A |

- v. Since the Company does not have employees, there was no calculation nor payment of profits for distribution to the Company's employees.
- vi. Through selective tests, I reviewed the balance of the accounts specified in the applicable annexes related to the determination of cost of goods sold for accounting purposes and Income Tax (ISR), the comparative analysis of the expense sub-accounts, the comparative analysis of the comprehensive financing result sub-accounts, and reconciled, as applicable: a) the differences with the basic financial statements, originated by reclassification for their presentation, and b) the determination of the deductible and non-deductible amounts for Income Tax (ISR) purposes.
- vii. During the fiscal year that ended December 31, 2019, I had no knowledge that the Company obtained resolutions from the tax or jurisdictional authorities (*Tribunal Federal de Justicia Administrativa* (previously known as *Tribunal Federal de Justicia Fiscal y Administrativa*) or Supreme Court - District Courts and Circuit Tribunals (*Tribunal Colegiado de Circuito*), or that it had fiscal stimuli, tax exemptions, subsidies or tax credits. I reviewed the information related to the fiscal stimuli applied and tax credits included in the tax return made by the taxpayer's legal representative.
- viii. During the year, the Company was not severally liable as withholder in the sale of shares done by foreign residents.
- ix. I reviewed the results of foreign exchange fluctuations, confirming that they were caused by the exchange rates on the dates when transactions were made being different that those on the date on which the transactions were either charged or paid, or the financial statement position, if applicable. Such review was made based on the substantive analytical review performed on the total balance of the foreign exchange fluctuations.
- x. The Company's balances with its main related parties as of December 31, 2019, are revealed on note 17.1 of the financial statements, included in the "Financial Statement Notes" Annex of SIPRED. The transactions with related parties executed during the fiscal year, are disclosed in Annex 16 "Transactions with Related Parties" of SIPRED.
- xi. Within the scope of my selective tests I reviewed compliance with obligations related to transactions with related parties in accordance to the following provisions: Articles 11, 27, section XIII, 28, sections XVII, fourth paragraph, subsection b) XVIII, XXVII, XXIX, and XXXI, 76, sections IX, X, XII, 179 and 180 of the Income Tax Law (*Ley ISR*).
- xii. During the fiscal year ended December 31, 2019, in the General Data Annex of SIPRED, the Company incorporated information related with the application of some criteria different from

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those which the tax authority would have made known in accordance to subsection h) of section I of article 33 of the CFF in force at December 31, 2019. In the previously mentioned annex, the taxpayer expressed that it did not apply that criteria during the fiscal year ended December 31, 2019.

- xiii. Within the scope of my selective tests, I reviewed the information specified by the taxpayer in the informative returns presented in compliance with its obligations under the following regulations, without observing any omission:
- Article 76, section VI of the Income Tax Statute (*Ley ISR*) “Information about foreign residents” (*Información sobre residentes en el extranjero*) (Annex 4 of the Multiple Informative Declaration (*Declaración Informativa Múltiple*)).
 - Article 178 of the Income Tax Law (*Ley ISR*), official format 63 “Informative Declaration of Preferment Tax Regimes”
 - Ninth Article of the Temporary Provisions of the Income Tax Law (*Ley ISR*) for 2014, section X, “Information about payments and withholdings of ISR, IVA and IEPS” (*Información sobre pagos y retenciones del ISR, IVA e IEPS*).

Other matters

3. My answers to the questions in the questionnaires of tax diagnostic and in transfer pricing matters, which are part of the information included in the SIPRED, are based on the result of my audit of the basic financial statements, taken as a whole, of CEMEX, S.A.B. de C.V. as of December 31, 2019 and for the ended year in such date, which was made in accordance with ISA; consequently, the answers that indicate compliance by the taxpayer with tax regulations are based on: a) the results of my audit conducted in accordance with ISA, or b) the fact that during my audit conducted in accordance with ISA, I reviewed and had no knowledge of any non-compliance with tax regulations.

Some questions in the questionnaires of tax diagnostic and in transfer pricing matters were left blank because: 1) they do not apply to the Company, 2) there is no possible answer or 3) the information was not reviewed, since it was out of the scope of my review, which does not constitute a breach of tax regulations.

4. Regarding the Company’s responses to the questionnaires of tax diagnostic and in transfer pricing matters that are included in the annexes “General Data” and “Information about the Taxpayer’s Transactions with Related Parties”, respectively, which are part of the information included in the SIPRED, I have analyzed and reviewed that such answers are consistent with my audit’s result conducted in accordance with ISA.

Consequently, responses that indicate the taxpayer’s compliance with tax regulations are supported by the fact that, during the audit I conducted, I reviewed and had no knowledge of any type of breach of the tax regulations referred to in such questionnaires.

Likewise, some questions require information that is not part of the basic financial statements, therefore the responses were provided by the Company and are not part of my audit.

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5. As of December 31, 2019, no material differences were identified in contributions payable by the taxpayer as a direct obligor or as a withholder.

Monterrey, Nuevo León, Mexico as of August 28, 2020

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C.P.C. Joaquín Alejandro Aguilera Dávila
AGAFF Registration Number 16651.

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