

## FINANCIAL SUPERVISORY COMMISSION

### **Current Report No 107/2009**

Date: 03 June 2009

Issuer's shortened name: KOPEX SA

**Subject: Domestic agreement of the Issuer subsidiary.**

Legal basis: Law on Offer; Art.56, Par.1, Cl. 2 – current and cyclic information

### **Report contents:**

Management Board of KOPEX S.A. with registered seat in Katowice (the Issuer) advises that today the Issuer has been aware of receiving on 03 June 2009 by KOPEX- Przedsiębiorstwo Budowy Szybow S.A. with registered seat in Bytom (the Issuer subsidiary) an agreement signed on 11 May 2009 with Kompania Weglowa S.A. with registered seat in Katowice.

KOPEX-Przedsiębiorstwo Budowy Szybow S.A. –Contractor - and Kompania Weglowa S.A. Oddzial KWK Szczygłowice (the Szczygłowice Mine)- Orderer- are Parties to the agreement.

Subject of the agreement is locating a teletechnical cable in the shaft No VI of the KWK Szczygłowice

Net value of the agreement amounts to PLN 338,000.00.

Term of the agreement is until 15 July 2009.

Stipulated penalties:

The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of gross agreement value if the Orderer renounces the agreement due to the reasons caused by the Contractor.

The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of gross agreement value if the Contractor renounces the agreement due to the reasons caused by the Orderer.

Detailed conditions of the agreement stick to the conditions commonly applied in the agreements of this kind.

A criterion of recognizing an agreement as a significant one is its transgression of a 10% bound of the Issuer's equity capital and fulfillment of the criteria set forth in Par.2, Cl.1.44 and Par.2 Cl.2 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 245,494 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 97/2009 dated 20 May 2009. The highest value agreement from among all the agreements signed in the past 12 months is the agreement the Issuer informed about in the current report RB 3/2009 dated 8 January 2009 which also comprises information on the highest value agreement set forth in Par.9,

Cl.1-7 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (...). Legal basis: Par.5 Cl.1.3. in connection with Par.2 Cl.2 and Par.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr.33, poz.259*).