

## FINANCIAL SUPERVISORY COMMISSION

### **Current Report No 113/2009**

Date: 17 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 the Issuer has been aware of receiving today an agreement dated 22 May 2009 by WAMAG S.A. with registered seat in Walbrzych (the Issuer subsidiary).

WAMAG S.A. based in Walbrzych - Contractor- and Katowicki Holding Weglowy S.A. KWK Wujek (the Wujek Mine)- Orderer- are Parties to the agreement.

Subject of the agreement is supply of 2 items of a mining skip (equipped with a cage).

Net value of the agreement amounts to PLN 798,000.00 thou.

Term of the agreement is 6 months from acceptance of an order in writing and validity of the agreement is until 31 December 2009.

Stipulated penalties: there are no entries regarding stipulated penalties, in accordance of Par.9 Cl.5 of the Minister of Finance Regulation on current and cyclic information (...).

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 (...).

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 134,512 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 105/2009 dated 01 June 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 1/2009 dated 6 January 2009 and in the annex No 1. to this agreement, the Issuer informed about it in the current report RB 74/2009 dated 1 April 2009, that 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*).

