

## FINANCIAL SUPERVISORY COMMISSION

### **Current Report No 163/2009**

Date: 19.10.2009

Issuer's shortened name: KOPEX SA

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

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

### **Report contents:**

Management Board of KOPEX SA with registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 16 October 2009 by KOPEX Przedsiębiorstwo Budowy Szybów S.A. with a registered seat in Bytom (the Issuer subsidiary), the agreement signed with Kompania Węglowa S.A. with registered seat in Katowice.

The parties of the agreement dated 6.10.2009 are KOPEX Przedsiębiorstwo Budowy Szybów S.A. in Bytom – the Buyer and Kompania Węglowa S.A. in Katowice – the Seller.

The subject of the agreement is purchase of 2 winders B-5000 in-service which are in the KWK Rydułtowy-Anna record.

Value of the agreement: 509.746,98 net

The detailed conditions of the above mentioned agreement do not differ from the conditions commonly applied in this kind of agreement.

A criterion of recognizing an agreement as a significant one is its transgression of a 10% bound of the Issuer's equity capital (Issuer's equity capital, according to interim report for the 1 half-year, amount for 1.138.391 PLN) 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 192.822,00 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 160/2009 dated 5.10.2009. 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 8.01.2009 that also contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of Regulation by the Minister of Finance 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 issuer 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*).