

## FINANCIAL SUPERVISORY COMMISSION

### **Current Report No 165/2009**

Date: 22.10.2009

Issuer's shortened name: KOPEX SA

**Subject: Acquisition of 100% share in Australian company.**

Legal basis: Law on Offer; Art. 56, Par. 1 Cl. 1 – confidential information

### **Report contents:**

Management Board of KOPEX SA with registered seat in Katowice (the Issuer) informs that today has been aware of signing on 22 October 2009 an agreement concerning acquisition of 100 % WARATAH ENGINEERING PTY.LTD (Administrator Appointed) share with registered seat in Argenton, New South Wales, Australia. The agreement has been signed between Waratah Engineering Holdings Pty Limited as the Seller, Zabrzeńskie Zakłady Mechaniczne S.A. in Zabrze (the Issuer subsidiary) as the Buyer, Janna Robertson and David Merryweather as the solidarity Company Management and KOPEX S.A. in Katowice as the Guarantor. The total price is 3.000.000,00 AUD. Financial means of the Zabrzeńskie Zakłady Mechaniczne in Zabrze make source of financing of the acquired assets. The Waratah's capital amounts to 100.000,00 AUD and is divided into 100.000 shares with a nominal value of 1,00 AUD each. Objects of the acquired company's enterprise is the manufacture of machinery and equipment for mining and it fits perfectly with the business mix of Kopex Group and will strengthen KOPEX S.A. Capital Group. Purchase of the shares is a part of the Kopex Group development strategy, which aims to improve the competitive position of the entire region of Southeast Asia, Australia, New Zealand and RSA. Canvassing has a strategic importance for ZZM S.A., taking into account Zabrzeńskie Zakłady Mechaniczne S.A. strategy of selling products on the Australian markets, where the Waratah, in Management Board of ZZM S.A. opinion, will have a great importance for sales and service facilities. There are neither any other connections between the Seller and the Issuer, nor between the managing persons and the supervising persons than these ones above mentioned. Acquired assets are treated as a long-term investment.

