

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current Report No 46/2009**

Date: 4 March 2009

Issuer's shortened name: KOPEX S.A.

**Subject: Annex to a loan agreement of the Issuer subsidiary and conclusion of an alienation agreement**

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 on 3 March 2009 the Issuer was informed by Zabrzanskie Zaklady Mechaniczne S.A. (the Issuer subsidiary) about signing an Annex No.2 to a loan agreement of 02 July 2007 concluded between Zabrzanskie Zaklady Mechaniczne S.A. with registered seat in Zabrze and HSW Odlewnia Sp. z o.o. with registered seat in Stalowa Wola (the Issuer subs subsidiary); the Issuer informed about the agreement in question in the reports RB163/2007 published on 23 July 2007 and RB 306/2007 published on 19 December 2007.

In accordance with the Annex No.2 signed, the Parties agreed that until 31 July 2009 interest in arrear is added to the value of the loan granted, starting from the next day following the date due to pay interest.

As at 31 January 2009 the loan value, including added interest amounts to PLN 28,267,398.83.

Besides, the Parties agreed that loan is to be repaid in quarterly installments starting from 01 March 2010; according to the Annex No.1. the loan should be repaid until 31 December 2010.

The other conditions of the agreement remain unchanged.

The Issuer has been also informed about conclusion of an alienation agreement between Zabrzanskie Zaklady Mechaniczne S.A. and HSW Odlewnia Sp. z o.o. to transfer ownership as a security for repayment of the loan value in question, including any interest. Alienation subject is ownership of tangible assets of book value amounting to PLN 9,298,441.63. It has also been stated in the agreement in question that any costs related with alienation procedure and satisfaction of ZSM S.A. liability, including cost of evaluation made by an appraiser, are to be borne by HSW Odlewnia Sp. z o.o.