

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current Report No 47/2009**

Date: 05 March 2009

Issuer's shortened name: KOPEX SA

**Subject: Significant 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 on 5 March 2009 the Issuer has become aware of coming on 4 March 2009 into WAMAG S.A. with registered seat in Walbrzych (the Issuer subsidiary) an agreement signed with a subsidiary of Kompania Weglowa SA with registered seat in Katowice.

WAMAG S.A. with registered seat in Walbrzych- Contractor- and Kompania Weglowa SA with registered seat in Katowice, Oddzial Szczyglowice- Orderer- are Parties to the agreement dated 30 January 2009.

Subject of the agreement is supply of loading eccentric screen, B=1400, L=2950 and disk feed system ,200 dia.

Value of the agreement amounts to ca. PLN 155,700 thou net plus 22%VAT.

Term of the agreement is 90 days from concluding the agreement.

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

Value of the agreement in question exceeds 10% of the Issuer's equity capital (the Issuer's equity in the end of Q4 2008 amounts to PLN 1,151,264 thou) and the agreement fulfils all the criteria set forth in Par.2, Cl.1.51 of the Ministry of Finance Regulation dated 15 October 2009 on current and periodic information conveyed by issuers of securities and thus value of the agreement has been acknowledged as a significant one.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 217,682 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 45/2009 dated 04 March 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.