

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current Report No 56/2009**

Date: 13 March 2009

Issuer's shortened name: KOPEX SA

**Subject: A 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 today the Issuer has been aware of receiving on 13 March 2009 by WAMAG S.A. with registered seat in Zabrze (the Issuer subsidiary) an agreement signed with Kompania Weglowa SA with registered seat in Katowice.

WAMAG S.A. based in Walbrzych –Seller- and Kompania Weglowa SA based in Katowice, KWK Szczygłowice (the Szczygłowice Coal Mine)-Orderer- are Parties to the agreement dated 25 February 2009. Subject of the agreement is supply of parts to screens being operated at KWK Szczygłowice in 2009.

Net value of the agreement amounts to PLN 35 thou.

Term of the agreement is until 31 December 2009

Stipulated penalties

The Orderer is obliged to pay the Seller stipulated penalties amounting to 10% of gross agreement value if the Seller renounces the agreement due to the reasons caused by the Orderer.

The Seller 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 Seller.

Detailed conditions of the agreements 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.1.51 and Par.2 Cl.2 of the Minister of Finance Regulation dated 19 October 2005 on current and periodic information conveyed by issuers of securities.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 193,859 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 52/2009 dated 11 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, 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 October 2005 on current and periodic information conveyed by issuers of securities.