

## FINANCIAL SUPERVISORY COMMISSION

### Current Report No 62/2009

Date: 19 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 19 March 2009 by Fabryka Maszyn i Urzadzen TAGOR S.A. with registered seat in Tarnowskie Gory (the Issuer subsidiary) an agreement signed with Katowicki Holding Weglowy S.A. with registered seat in Katowice.

TAGOR S.A. based in Tarnowskie Gory –Contractor- and Katowicki Holding Weglowy S.A. based in Katowice, KWK Murcki (the Murcki Coal Mine)-Orderer- are Parties to the agreement dated 05 March 2009.

Subject of the agreement is supply of SN 400ZM friction props.

Net value of the agreement amounts to PLN 126 thou.

Term of the agreement is 18 months.

### Stipulated penalties

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.

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.

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.1.44 and Par.2 Cl.2 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 120,447 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 59/2009 dated 17 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 1/2009 dated 6 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 February 2009 on current and periodic information conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.