

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 95/ 2009**

Date : 18.05.2009

Issuer's shortened name : KOPEX S.A.

Subject:

### **Domestic agreement of the Issuer's subsidiary.**

Legal basis :

Law on Offer , Art. 56, Par 1 Cl.2 – current and cyclic information.

### **Contents of the report:**

The Management of Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 18 May 2009 by KOPEX Przedsiębiorstwo Budowy Szybów S.A. (the Issuer's subsidiary) with a registered seat in Bytom, the agreement dated 15 May 2009 signed with Kompania Węglowa S.A. KWK "Jankowice" Division with a registered seat in Katowice

The parties of the agreement are KOPEX Przedsiębiorstwo Budowy Szybów S.A. – the Executor and Kompania Węglowa S.A. KWK "Jankowice" Division – the Orderer

The subject of the agreement is to execute a multi line technical project related to deepening the shaft No8 in KW S.A. KWK Jankowice Division.

Value of the agreement – 384.000 PLN net

Term of the agreement – 5 months from the date of signing

Stipulated penalties:

Each Party is obliged to pay the other Party stipulated penalties amounting to 10% of the agreement gross value if the Party renounces the agreement due to the reasons caused by this Party.

Detailed conditions of the above mentioned agreement do not differ from the conditions commonly applied in this kind of agreement.

The criterion of recognizing an agreement as a significant one is exceeding by it of 10% of bounds pertaining to the Issuer's equity capital and fulfillment of the criteria set forth in Par.2

Cl.1.44 and Par.2 Cl.2 of Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...)

In the past 12 months the Issuer subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 247.527 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 91/2009 dated 12 May 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 contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of Regulation by the Minister of Finance dated 19 February 2009 on current and periodic information (...)

Legal basis of transmission : Par 5 Cl.1.3 in relation with Par.2 Cl.2 and Par.8 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information transmitted by issuers of shares and conditions of recognizing as equivalent the information required by legal regulations of a country which is not a member country (Off. J. dated 2009, No33, pos. 259).