

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 48/2013

Date: 07 June 2013

Issuer's shortened name: KOPEX SA

Subject: **Annex to a significant credit agreement of a subsidiary**

Legal basis: Law on Offer, Art. 56, Par.1 Item 2 – current and cyclic information

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

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) informs that today has been aware of receiving by KOPEX Machinery SA with its registered seat in Zabrze (the Issuer's subsidiary) a signed Annex No 1 dated 05.06.2013 to the credit agreement dated 14.04.2006 concluded between KOPEX Machinery S.A. and the bank PKO BP S.A. Pursuant to this Annex the bank increased the current credit limit by the amount of 30.000.000,00 PLN i.e. to the total amount of 150.242.600,00 for a period up to 30.06.2014.

The credit agreement remains secured with: Kopex Machinery S.A. blank promissory note, an authorization to the bank accounts of the borrower, the guarantee on the general KOPEX S.A. terms up to the amount of 150.242.600,00 PLN and contractual joint mortgage on the real estate of the company TAGOR SA. (an indirect subsidiary of the Issuer).

The Issuer informed earlier about this agreement and the annexes to this agreement in the current reports RB 258/2007 dated 11.10.2007, RB 40/2008 dated 11.04.2008, RB 92/2008 dated 23.07.2008, 134/2009 dated 27.07.2009, RB Nr 91/2011 dated 06.07.2011 and RB Nr 41/2012 dated 09.03.2012.

Moreover the Issuer informs that today has been aware of receiving by KOPEX Machinery SA a signed Annex No 2 to the credit agreement dated 18.08.2010 concluded at this time between the company Rybnicka Fabryka Maszyn RYFAMA S.A. (in place of which entered Kopex Machinery S.A. after the merger on 1.10.2012) and the bank PKO BP S.A. under which the agreement would cease on the date of 05.06.2013.

The Issuer informed earlier about this agreement in the current report RB 67/2010 dated 19.08.2010.

The criterion of recognizing a credit agreement dated 24.04.2006 as a significant one is exceeding by it of 10% of bounds pertaining to the Issuer's equity capital (the Issuer's equity capital amounts to 1,378,923 thou PLN, in compliance with data included in the published report for Q1 of 2013) and fulfillment of the criteria set forth in Par.2 Cl.1 Item 44) of Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...).

Legal basis for publishing: Cl.5 Par.1 Item 3 and Cl.3 Par.2 and Cl.9 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 that is not a member country (*Dz.U. z 2009, Nr 33 poz.259 ze zmianami*).