

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 60/2014

Date: 4 August 2014

Issuer's shortened name: KOPEX SA

Subject: **Annexes to a credit agreements concluded with PKO BP SA SA**

Legal basis: Law on Offer, Art. 56, Par.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 received from PKO BP SA based in Warsaw four annexes dated 30.07.2014 to the following credit agreements:

- Annex No 15 to the credit agreement, being a multipurpose credit limit dated 30.06.2006 concluded by PKO BP SA and Kopex SA (the Issuer),
- Annex No 20/2014 to the credit agreement, being a multipurpose credit limit dated 24.04.2006 concluded by PKO BP SA and Kopex Machinery SA based in Zabrze (the Issuer's subsidiary),
- Annex No 9 to the credit agreement, being a multipurpose credit limit dated 26.06.2008 concluded by PKO BP SA and Fabryka Maszyn i Urządzeń TAGOR SA based in Tarnowskie Góry (the Issuer's subsidiary),
- Annex No 10/2014 to the credit agreement, being a multipurpose credit limit dated 11.07.2006 concluded by PKO BP SA and Kopex – Przedsiębiorstwo Budowy Szybów SA based in Bytom (the Issuer's subsidiary).

Under the above mentioned annexes there has been established a uniform text of the credit agreement, which replaces the previously existing individual credit agreements concluded by the listed companies with PKO BP SA. The agreement defines new term of the credit agreement – until 31 July 2015.

According to the agreement the total amount of the limit granted by the bank to the listed companies amounts to 549 242 600,00 PLN. The amount of sub-limits granted to the companies remains unchanged and amounts to:

- Kopex SA – 261 000 000,00 PLN,
- Kopex Machinery SA – 150 242 600,00 PLN,
- Tagor SA – 118 000 000,00 PLN,
- Kopex-PBSz SA – 20 000 000,00 PLN.

The sub-limits in question can be fully used in the form of an overdraft facility, tendering and contract guarantees, letters of credit and reverse factoring.

The safeguards of the credit are as follows:

- registered pledge on 100% of the Kopex Machinery shares,
- transfer of debt from the two contracts mentioned in the credit agreement,
- joint contractual mortgage to the amount of 549 242 600,00 PLN on properties located in Zabrze and in Tarnowskie Góry, whose perpetual usufructuary and the owner of buildings is TAGOR SA, together with the assignment of receivables from insurance policy,
- registered pledge on Tagor SA inventory set out in detail in the agreement together with the assignment of receivables from insurance policy,
- power of attorney on bank accounts listed in the credit agreement.

Other safeguards: mortgage on the Kopex SA properties and guarantees under individual credit agreements has been released by PKO BP SA.

There was also a change in credit margin. Credit interest is set in accordance with WIBOR – PLN, EURIBOR – EUR, LIBOR – USD for a month interbank deposits, increased by a bank margin.

The other detailed conditions of the agreement stick to the conditions commonly applied to the agreement of this kind.

The above mentioned agreement fulfill the criterion of recognising an agreement as a significant one because exceeds 10% of bounds pertaining to the Issuer's equity capital.

The last time the Issuer informed about the agreements and annexes in the following currents report: RB88/2011 dated 1.07.2011 (Kopex SA), RB48/2013 dated 7.06.2013 (Kopex Machinery SA), RB80/2013 dated 29.11.2013 (Tagor SA), RB64/2013 dated 16.07.2013 (Kopex-PBSz SA).

Legal basis for publishing: Cl.5 Par.1 Item 3 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 2014, poz. 133*).