

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 86/2011

Date: 30 June 2010

Issuer's shortened name: KOPEX SA

Subject: **Significant credit agreement**

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

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

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) informs on signing on 29 June 2011 a Multiproduct line agreement.

The Parties of the agreement are: ING Bank Śląski SA - Bank and KOPEX SA based in Katowice and the Issuer's subsidiary: KOPEX-Przedsiębiorstwo Budowy Szybów SA based in Bytom, Zabrzeńskie Zakłady Mechaniczne SA based in Zabrze, FmiU TAGOR SA based in Tarnowskie Góry, WAMAG SA based in Wałbrzych, KOPEX-Famago Sp. z o.o. based in Zgorzelec as well as ZZM-Maszyny Górnicze Sp. z o.o . – Clients.

By the virtue of the above mentioned agreement, the bank granted a credit in the form of a revolving credit line in the amount up to 197,700 thousand zlotys. Maximum sublimit for individual companies is as follows:

- KOPEX SA – 40,000 thousand zlotys
- KOPEX-Przedsiębiorstwo Budowy Szybów SA – 20,000 thousand zlotys
- Zabrzeńskie Zakłady Mechaniczne SA – 29,100 thousand zlotys
- FmiU TAGOR SA – 72,000 thousand zlotys
- WAMAG SA – 15,500 thousand zlotys
- KOPEX-Famago Sp. z o.o. – 18,000 thousand zlotys
- ZZM-Maszyny Górnicze Sp. z o.o . – 3,100 thousand zlotys

Credit line may be used for current business activities in the form of revolving credit on credit account, revolving credit on bank account or as a limit for use in order to secure the bank's claims under the guarantees or letters of credit. Credit limit will be available until 27.06.2012. Within the credit line available is revolving credit on credit account in the amount of 30,000 thousand zlotys with a term of up to 4 years, i.e. until 27.06.2015 and credit sublimit in the amount of 28,000 thousand zlotys to be used as guarantees and letters of credit with a term of up to 4 years, i.e. until 26.06.2015.

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

The credit is safeguarded as follows:

- deposit mortgage on real estates of ZZM SA and KOPEX-PBSz SA, together with assignment of insurance policy,
- incorporated security on machinery and metallurgic stock belonging to ZZM SA, together with assignment of insurance policy,

- incorporated security on machinery belonging to KOPEX-Famago Sp. z o.o., together with assignment of insurance policy,
- powers of attorney for a bank on controlling over bank accounts of the Debtors in PKO BP SA and ING BSK SA,

Detailed conditions of the agreement stick to conditions commonly applied in the agreements of this kind.

The criterion of recognising an agreement 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 1,344,750 thou PLN, in compliance with data included in the published report for Q1 2011) and fulfillment of the criteria set forth in Par.2 Cl.1 Item 44) and Par.2 Cl.2 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 in relation with Cl.2 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*).