

## FINANCIAL SUPERVISORY COMMISSION

### Current Report No 144/2008

Date: 25 November 2008

Issuer's shortened name: KOPEX SA

**Subject: Significant domestic agreement of the Issuer related entity.**

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) informs as follows:

On 25 November 2008 the Issuer was informed about signing an agreement between Fabryka Maszyn i Urzadzen TAGOR S.A. with registered seat in Tarnowskie Gory (the Issuer subsidiary) – Seller and Kompania Weglowa S.A. Centrum Wydobywcze Polnoc, Oddzial ZG Piekary- Buyer. Subject of the agreement is supply of friction props. Net value of the agreement amounts to PLN 230 thou.

Term of the agreement is until 31 December 2008.

#### Stipulated penalties:

The Seller is obliged to pay the Buyer stipulated penalties amounting to:

- 10% of the non-executed part of the agreement value if the Buyer renounces the agreement due to the reasons caused by the Seller,
- 10% of the agreement value of the goods specified each time in the order whose supply has not been executed due to the reasons caused by the Seller,
- 0.1% of the agreement value of the goods not given on the date defined each time in the order, for each of delay.

The Buyer is obliged to pay the Seller stipulated penalties amounting to:

- 10% of the non-executed part of the agreement value if the Seller renounces the agreement due to the reasons caused by the Buyer,
- 10% of the agreement value of the goods specified each time in the order whose supply has not been executed due to the reasons caused by the Buyer,

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

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements of total value amounting to PLN 164,032 (including this one).

The Issuer informed about the last agreement signed with this customer in the current report RB 143/2008 dated 24 November 2008.

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 134/2008 dated 29 October 2008.

The Issuer's equity in the end of Q3 2008, amounting to PLN 1,191,715 thou was accepted as a criterion of a significant agreement.