

## FINANCIAL SUPERVISORY COMMISSION

### **Current Report No 86/2009**

Date: 28 April 2009

Issuer's shortened name: KOPEX SA

**Subject: Domestic agreement of the Issuer subsidiary.**

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) advises that today the Issuer has been aware of receiving on 28 April 2009 by WAMAG S.A. with registered seat in Walbrzych (the Issuer subsidiary) an agreement signed with Katowicki Holding Weglowy S.A. with registered seat in Katowice.

WAMAG S.A. based in Walbrzych- Supplier- and Katowicki Holding Weglowy S.A. based in Katowice, Oddzial KWK Myslowice-Wesola (the Myslowice-Wesola Mine)- Orderer- are Parties to the agreement dated 17 April 2009.

Subject of the agreement is supply of DIAS 3 S separator.

Net value of the agreement amounts to PLN 845,000.00 thou .

Term of the agreement is 90 days from its signing.

Stipulated penalties: Each Party to the agreement 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 agreement stick to the conditions commonly applied in the agreements of this kind.

A criterion of recognizing an agreement as a significant one is its transgression of a 10% bound of the Issuer's equity capital and fulfillment of the criteria set forth in Par.2, Cl.1.44 and Par.2 Cl.2 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 136,057 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 85/2009 dated 24 April 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 1/2009 dated 6 January 2009 and in the annex No 1. to this agreement, the Issuer informed about in the current report RB 74/2009 dated 1 April 2009, that also comprises information on the highest value agreement set forth in Par.9, Cl.1-7 of the Minister of Finance Regulation dated 19 February 2009 on current and

periodic information conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.

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