

FINANCIAL SUPERVISORY COMMISSION

Current report No 75 / 2009

Date : 03.04.2009

Issuer's shortened name : KOPEX S.A.

Subject:

Credit agreement of the Issuer subsidiary

Legal basis :

Law on Offer , Art. 56, Par 1 point 2 – current and cyclic information.

Contents of the report:

The Management of Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 2 April 2009 by Zabrzeńskie Zakłady Mechaniczne with a registered seat in Zabrze (the Issuer subsidiary) the not reopening revolving credit agreement signed with PKO Polish Bank S.A. with a registered seat in Warszawa.

The parties of the agreements dated 1 April 2009 are Zabrzeńskie Zakłady Mechaniczne with a registered seat in Zabrze – the Debtor and PKO Polish Bank S.A. with a registered seat in Warsaw Subsidiary in Katowice – the Creditor.

By virtue of the above mentioned agreement the Creditor has been granted a not reopening revolving credit in the Polish currency for a period of time from 1 April 2009 to 10 March 2010. The Creditor gives at the Debtor's disposal the credit amounting to 30.000 thousand PLN to be utilized until 30 June 2009. The credit will be paid off on the day of crediting period expiration, it means on 10 March 2010.

The insurance of paying the credit off is a deposit mortgage amounting to a maximum to 36.000 thousand PLN set up on real properties and the transfer of money liabilities from a property insurance agreement.

The interests for the credit amount have been calculated taking into consideration a market situation.

There are no terms referring to stipulated penalties in the agreement.

Detailed conditions of the agreement do not differ from the conditions commonly applied in this kind of agreement.

The criterion of recognizing an agreement as a significant one is exceeding by it of 10% of bounds pertaining to the Issuer's equity capital and fulfillment of the criteria set forth in Par.2 Cl.1.44 and Par.2 Cl.2 of Regulation of the Minister of Finance 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 which is not a member country.

In the past 12 months the Issuer subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 130.000 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 81/2008 dated 1 July 2008 and Annex Nr 1 to this agreement in the current report RB 94/2008 dated 28 July 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 81/2008 dated 1 July 2008 and in the Annex Nr 1 to this agreement in the current report RB 94/2008 dated 28 July 2008 that also contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of Regulation by the Minister of Finance 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 which is not a member country.