

## FINANCIAL SUPERVISORY COMMISSION

### Current Report No 150/2008

Date: 8 December 2008

Issuer's shortened name: KOPEX SA

**Subject: Significant agreement of the Issuer domestic 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 as follows: on 8 December 2008 the Issuer was informed about signing an agreement between KOPEX-Przedsiębiorstwo Budowy Szybow SA with registered seat in Bytom (Contractor) and Kompania Węglowa S.A. Centrum Wydobywcze Wschod (Orderer). Subject of the agreement is repair of shaft column masonry envelope and filling the space above fresh water container in the shaft. Net value of the agreement amounts to PLN 162 thou. Term of the agreement is until 31 December 2008.

#### Stipulated penalties:

- the Contractor will pay the Orderer stipulated penalties amounting to 10% of the agreement value if the Orderer renounces the agreement due to the reasons caused by the Contractor,
- the Orderer will pay Contractor the stipulated penalties amounting to 10% of the agreement value if the Contractor renounces the agreement due to the reasons caused by the Orderer,
- the Contractor is obliged to pay the Orderer stipulated penalties amounting to 0.1% of the agreement value for each day of delay in execution of the subject of the agreement.

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 amounting altogether to net PLN167,106 thou (including this one).

The Issuer informed about the last agreement signed with this customer in the current report RB 147/2008 dated 27 November 2008.

The highest value agreement from among all the agreements signed between the a.m. legal entities in the past 12 months is the agreement, the Issuer informed about in the current report RB 134/2008 dated 29 October 2008.

Value of 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.

