

Current Report No. 37/2013

Date of preparation: 31 October 2013

Subject: Conclusion of an annex to the significant agreement with EDF Paliwa Sp. z o.o.

General legal basis: Art. 56.1.2 of the Act on Public Offering – current and periodic information

Content:

The Management Board of LW BOGDANKA S.A. with registered office in Bogdanka (the “Company”) hereby announces that on 31 October 2013 it concluded an annex (the “Annex”) to the Long-Term Agreement on the sale of power coal (the “Agreement”) of 19 July 2011 with EDF Paliwa Sp. z o.o., (formerly Energokrak Sp. z o.o.), with registered office at ul. Ciepłownicza 1, 31-587 Kraków (the “Buyer”). The Agreement was described in Current Report No. 21/2011 of 19 July 2011 and in Current Report No. 42/2012 of 1 August 2012.

As a result of concluding the Annex, the parties:

- a) determined the terms of coal supply for 2014 (volume and price),
- b) changed the rules of conducting sale of coal products between intermediary coal entities after the amendments of the Excise Duty Tax of 6 December 2008 and secondary regulations thereto.

Additionally, the Company’s Management Board hereby announces that due to the execution of the provisions of the Agreement, the term thereof has been extended for the next calendar year and the Agreement is in effect until 31 December 2016.

According to the Annex, the net value of the entire Agreement, excluding any additional options, possible increases, deviations and tolerance, amounts to PLN 681 million net, at current prices.

Other terms and conditions of the Agreement, as a result of the Annex conclusion, remain unchanged and do not differ from the market standards applied in such agreements.

The criterion for deeming the Agreement, to which the Annex has been concluded, significant is that it exceeds 10% of the value of the Company’s shareholders’ equity.

Legal basis for submitting the report: Article 5.1.3 of the Regulation of the Minister of Finance on the Stock Exchange