

**DECLARATION OF A CANDIDATE
FOR THE POSITION OF THE MEMBER OF THE SUPERVISORY BOARD**

I hereby declare that with respect to my person no circumstances occur that may exclude my independence as a member of the Supervisory Board of Lubelski Węgiel BOGDANKA S.A. with registered office in Bogdanka (the "**Company**").

I meet the independence criteria for members of the Supervisory Board specified by the European Commission included in the Commission Recommendation of 15 February 2005 on the role of non-executive or supervisory directors of listed companies and on the committees of the (supervisory) board and in Annex II to this Recommendation, as well as additional requirements specified in the Code of Best Practice for WSE Listed Companies, annexed to Resolution No. 20/1287/2011 of the WSE Board of 19 October 2011.

In particular, I meet the independence criteria for members of the Supervisory Board specified in Article 34.5 of the Company's Articles of Association and in the Rules of the Company's Supervisory Board, i.e.:

- a. I have no employment relationship or a similar legal relationship with the Company, any of its branches or related parties;
- b. I am not a supervisory or management board member at any of the Company's related parties;
- c. I am not a shareholder holding 5% or more of the total vote at the Company's General Shareholders Meeting or a general shareholders meeting or shareholders meeting of any of the Company's related parties;
- d. I am not an employee or a supervisory or management board member of an entity holding 5% or more of the total vote at the Company's General Shareholders Meeting or a general shareholders meeting or shareholders meeting of any of the Company's related parties;
- e. I am not a descendant or ascendant, a spouse, a sibling, a parent of a spouse, or an adoptee of any of the persons listed in a-d.

Moreover, I hereby declare that:

1. I do not perform any functions or hold positions specified in Articles 1 and 2 of the Act on restricting the conduct of business activities by persons performing public functions of 21 August 1997 (Dz. U. of 2006, No. 216, item 1584, as amended);
2. There is no conflict of interests, with respect to my person, in holding a function of a member of the Company's Supervisory Board; I do not run any competitive activity with respect to the Company, and I do not perform any activities in companies running a competitive activity as a member of the company's governing bodies or as a shareholder in a civil law partnership or a partnership, and I do not participate in

operation of any other competitive legal person as a member of its governing body;

3. In compliance with the requirements specified in Article 18 of the Polish Commercial Companies Code (“Commercial Companies Code”) of 15 September 2000 (Dz. U. of 2000 No. 94, item 1037, as amended), with respect to a candidate for a member of the Company’s Supervisory Board, I enjoy full capacity for acts in law, and I have never been convicted by a final court judgement for offences specified in the provisions of chapters XXXIII – XXXVII of the Polish Penal Code of 6 June 1997 (Dz. U of 1997, No. 88 item 553, as amended) and in Articles 585; 587; 590 and 591 of the Commercial Companies Code.
4. I am not entered to the Insolvent Debtors Record maintained under the Act on the National Court Register of 20 August 1997 (uniform text Dz. U. of 2007, No. 168, item 1186, as amended).

Furthermore, I hereby consent to processing and publishing of my personal data as defined by the Personal Data Protection Act of 29 August 1997 (uniform text Dz. U. of 2002, No. 101, item 926, as amended), as well as all the data included in my Curriculum Vitae presented to the Company, within the scope required in connection with running for the position of a member of the Company’s Supervisory Board and being its member.

[handwritten name and surname: Dariusz Formela]

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(name, surname)

[handwritten place and date: Warsaw, 26.04.2012]

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(place, date)

[handwritten signature]

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(signature)