

Current Report No. 44/2013

Date prepared: 2013-05-07

Subject: Conclusion of Material Agreement with the Companies in KGHM Polska Miedź S.A. Group

Legal basis: Article 56 Section 1 Item 2 of the Public Offering Act - current and periodic information

Contents of the report:

MAKRUM S.A. seated in Bydgoszcz (Company) informs that within the period from 06 May 2012, the Company has concluded agreements with the companies of KGHM Polska Miedź S.A. Group seated in Lubin for the total net amount of PLN 9 138 457,00.

The largest agreement in terms of value within the period in question covered by the report was concluded with KGHM Polska Miedź S.A. (the Ordering Party) yesterday, i.e. on 06 May 2013 (Agreement), with the Company's remuneration of PLN 7 098 610, 00 net. The Company informed about the tender, the consequence of which is the conclusion of this Agreement, disclosing confidential information in the current report no. 30/2013 dated 17 April 2013.

The subject of this Agreement is a delivery of crushing and grinding equipment as well as scaffolding vibratory feeder for the Post- leaved Slag Preparation Line including execution of two ball mills.

The deadline for the performance of this Agreement was determined by the Parties to be 30 June 2014 which was specified as an initial deadline for the performance of the subject of the Agreement.

Pursuant to the Agreement, performance bond is the amount equal to 10% of the Agreement gross value, i.e. PLN 873 129,03 in the form of cash deposit or bank guarantee/ surety.

For withdrawal from the Agreement by the Ordering Party for reasons attributable to the Company or withdrawal from the Agreement by the Company for reasons beyond the control of the Ordering Party, the Company may be charged contractual penalties in the amount of 15 % of the Agreement value. For a delay in performance of the subject of the Agreement on time, the Company may be charged a contractual penalty in the amount of 0,5 % of the Agreement value for each commenced day of delay. For a delay in repair within the guarantee period, the Company may be charged a contractual penalty in the amount of 0,02 % of the Agreement value for each commenced hour of delay. For a delay in providing the schedule of delivery of the subject of the Agreement, the

Company may be charged a contractual penalty in the amount of 0,2 % of the Agreement value for each commenced day of delay.

For the withdrawal from the Agreement by the Company for reasons attributable to the Ordering Party or withdrawal from the Agreement for the reasons beyond the control of the Company, the Ordering Party may be charged contractual penalties in the amount of 15 % of the Agreement value.

Payment of the contractual penalties shall not exclude the right to claim damages in excess of these penalties.

Other provisions of the Agreement shall not deviate from the generally applicable terms for this type of agreements.

Material Agreement due to the fact that the sum of the agreements concluded with KGHM Polska Miedź S.A. Group exceeds 10 % of incomes of MAKRUM S.A. Group of Companies for the period of last 4 quarters. The Company shall adopt this criterion due to the fact that it currently allows for the better assessment of the importance of the concluded agreement.

Note: Polish version of this report is legally binding. English version is for reference only.