

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 128/ 2009

Date : 09 July .2009

Issuer's shortened name : KOPEX S.A.

Subject: **Domestic agreement of the Issuer's subsidiary.**

Legal basis : Law on Offer , Art. 56, Par 1 Cl.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 09 July 2009 by WAMAG S.A. with registered seat in Wałbrzych (the Issuer's subsidiary) an agreement signed with Kompania Węglowa S.A. with a registered seat in Katowice.

WAMAG S.A. based in Wałbrzych- Contractor- and Kompania Węglowa S.A. based in Katowice, Centrum Wydobywcze Wschód Oddział KWK Piast (The Piast Coal Mine) – Orderer- are Parties to the agreement dated 23 June 2009.

Subject of the agreement is supply of a brand new WK2-2,2x6,0 type vibrating screen for Centrum Wydobywcze Wschód Oddział KWK Piast.

Net value of the agreement amounts to PLN 179,000.00 PLN.

Term of the agreement is until 15 January 2010.

### Stipulated penalties:

The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the gross agreement value if the Orderer renounces the agreement due to the reasons caused by the Contractor.

The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the gross agreement value if the Contractor renounces the agreement due to the reasons caused by the Orderer.

Detailed conditions of the above mentioned 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 (...)

In the past 12 months the Issuer subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 238.107 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 127/2009 dated 07 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 3/2009 dated 8 January 2009 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 (...)

Legal basis for publishing: Par 5 Cl.1.3 in relation with Par.2 Cl.2 and Par.9 of the Minister of Finance Regulation 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 (*Dz. U. z 2009, Nr 33, poz. 259*).