

FINANCIAL SUPERVISORY COMMISSION

Current report No 142/ 2009

Date : 06.08.2009

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 Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 6 August 2009 by Zabrzeńskie Zakłady Mechaniczne S.A. with a registered seat in Zabrze (the Issuer subsidiary), the agreement signed with Jastrzębska Spółka Węglowa S.A. KWK Zofiówka with a registered seat in Jastrzębie Zdrój.

The parties of the agreement dated 3 August 2009 are Zabrzeńskie Zakłady Mechaniczne S.A. – the Lesser and Jastrzębska Spółka Węglowa S.A. KWK Zofiówka – the Lessee.

The subject of the agreement is lease of a high productive shearer with an electronic advance system for JSW S.A. KWK “Zofiówka”.

Value of the agreement – 801.000,00 PLN + 22% VAT

Term of the agreement – 180 days

Stipulated penalties:

The Lessee may require the Lesser to pay stipulated penalties amounting to 10% of the agreement gross value for improper or inadequate execution of the agreement. The Lesser is obliged to pay the Lessee stipulated penalties amounting to 10% of the currently realized services if the Lesser renounces the agreement due to the reasons attributable to him.

If the stipulated penalties do not cover the loss, the Lessee may claim for supplementary damages on general rules in accordance with the Civil Code.

The 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 220.522 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 139/2009 dated 4 August 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 136/2009 dated 30 July 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 of transmission : 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. dated 2009, No.33, pos. 259).