

FINANCIAL SUPERVISORY COMMISSION

Current report No 149/ 2009

Date : 14.08.2009

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 13 August 2009 by WAMAG S.A. with a registered seat in Walbrzych (the Issuer's subsidiary), the agreement signed with Kompania Węglowa S.A. with a registered seat in Katowice.

The parties of the agreement dated 30 July 2009 are WAMAG S.A. in Walbrzych – the Seller and Kompania Węglowa S.A. in Katowice – the Buyer.

The subject of the agreement is supply of a vacuum pump for KWK "Bobrek Centrum" Division.

Value of the agreement – 138.400,00 PLN net

Term of the agreement – till 30.10.2009

Stipulated penalties:

If the Seller renounces the agreement due to the reasons caused by the Seller , he will be obliged to pay the Buyer stipulated penalties amounting to 10% of the agreement gross value.

If the Buyer renounces the agreement due to the reasons caused by the Buyer , he will be obliged to pay the Seller stipulated penalties amounting to 10% of the agreement gross value.

The Parties have agreed upon that the basis for computing stipulated penalties will be the agreement net value. In the event the damage related to no fulfillment of duties arisen from this agreement exceeds the amount of the stipulated penalties, the Buyer, independently of the penalties included in the agreement, reserves the right to claim for supplementary damages on general rules.

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 237.862 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 147/2009 dated 12 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 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 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, No33, pos. 259).