

FINANCIAL SUPERVISORY COMMISSION

Current Report No 159/2008

Date: 22 December 2008

Issuer's shortened name: KOPEX SA

Subject: Significant domestic agreement of the Issuer related entity.

Legal basis: Law on Offer; Art.56, Par.1, Cl. 2 – current and cyclic information

Report contents:

Management Board of KOPEX S.A. with registered seat in Katowice (the Issuer) advises as follows:

On 22 December 2008 the Issuer was informed about signing an agreement between Fabryka Maszyn i Urzadzen TAGOR S.A. with registered seat in Tarnowskie Gory (the Issuer subsidiary)- Seller- and Kompania Weglowa S.A. Centrum Wydobywcze Polnoc, Oddzial KWK Pokoj – Buyer.

Subject of the agreement is supply of friction props.

Net value of the agreement amounts to PLN 195 thou. Term of the agreement is until 31 December 2008.

Stipulated penalties:

The Seller is obliged to pay the Buyer stipulated penalties amounting to:

- 10% of the value of nonexecuted part of the agreement if the Buyer renounces the agreement due to the reasons caused by the Seller,
- 10% of the goods value described each time in the nonexecuted order, due to the reasons caused by the Seller,
- 0.1% of the goods value not handed out on the day fixed and described in the order each time, for each day of delay

The Buyer is obliged to pay the Seller stipulated penalties amounting to:

- 10% of the value of nonexecuted part of the agreement if the Buyer renounces the agreement due to the reasons caused by the Seller,
- 10% of the goods value described each time in the nonexecuted order, due to the reasons caused by the Seller,

Detailed conditions of the agreement sticks to the conditions commonly applied in the agreements of this kind.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 167.286 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 156/2008 dated 17 December 2008. 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 134/2008 dated 29 October 2008.

Value of the Issuer's equity at the end of Q3 2008, amounting to PLN 1,191,715 thou was accepted as a criterion of a significant agreement.