

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 16/2010

Date: 2 February 2010

Issuer's shortened name: KOPEX S.A.

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

Legal basis: Law on Offer, Art. 56, Par.1 Item 2– current and periodic information

Contents of the report:

Management Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 2 February 2010 by Fabryka Maszyn i Urządzeń TAGOR S.A. with a registered seat in Tarnowskie Góry (the Issuer's subsidiary) an agreement signed with Jastrzębska Spółka Węglowa S.A. with a registered seat in Jastrzębie Zdrój.

The parties of the agreement dated 6 January 2010 are Fabryka Maszyn i Urządzeń TAGOR S.A. as the Lessor and Jastrzębska Spółka Węglowa S.A. KWK „Zofiówka“ as the Lessee.

The subject of the agreement is lease of a TAGOR – 2/850 conveyor.

Net value of the agreement: PLN 360.000,00

Term of the agreement: 5 months of the date of signing the contract (to complete the exploitation of the C-3 wall in the 417/1 board). In the event of earlier completion the exploitation of the C-3 wall in the 417/1 board, the Lessee will be able to reduce the lease period.

Stipulated penalties:

In case of backing out of the agreement due to the reasons caused by the Lessor, the Lessor is obligated to pay the Lessee a stipulated penalty amounting to 10% of yet implemented agreement value. If the damage exceeds the value of stipulated penalties the Parties may claim additional compensation on Civil Code basis. Detailed conditions of the agreement stick to the conditions commonly applied in the agreements of this kind.

A criterion of recognizing an agreement as a significant one is its transgression of a 10% bound of the Issuer's equity capital (the Issuer's equity capital, according to the interim report for third quarter 2009, amounts to PLN 1.162.158) and fulfillment of the criteria set forth in Par.2, Cl.1.44 and Par.2 Cl.2 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (...). In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 258.224 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 14/2010 dated 26.01.2010. 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 30.07.2009 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: Par.5 Cl.1.3 in connection with Par.2 Cl.2 and Par.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuer of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259*).