

FINANCIAL SUPERVISORY COMMISSION

Current report No 170/ 2009

Date : 03.11.2009

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 learned about receiving on 03 November 2009 by KOPEX – Przedsiębiorstwo Budowy Szybów S.A. with a registered seat in Bytom (the Issuer subsidiary), the agreement signed with Kompania Węglowa with a registered seat in Katowice.

The parties of the agreement dated 26 October 2009 are KOPEX - Przedsiębiorstwo Budowy Szybów S.A with a registered seat in Bytom as the Executor and Kompania Węglowa S.A. Centrum Wydobywcze Wschód as the Orderer.

The subject of the agreement is elaboration of the conceptual study concerning the development and extraction of seams laying at 300m level in KWK Piast.

Value of the agreement – 206.000,00 PLN net

Term of the agreement – till 30 March 2010

Stipulated penalties: The Executor will pay the Orderer stipulated penalties amounting to 10% of the agreement value , in case the Orderer renounces the agreement due to the reasons caused by the Executor. The Orderer will pay the Executor stipulated penalties amounting to 10% of the agreement value if the Executor renounces the agreement due to the reasons caused by the Orderer.

The basis for calculating the penalties will be agreement net value.

In case the damage exceeds the stipulated penalties reserved in the agreement, the Parties may claim for supplementary damage 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 (the Issuer's equity capital according to the interim report for the 3rd quarter of 2009 amounts to 1.162.158 thousand PLN). 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 193.825 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 168/2009 dated 02 November 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 08 August 2009 that also contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of Regulation of 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 with posterior changes).