

(Translation from the Polish language)

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 185/ 2009**

Date : 01 December 2009

Issuer's shortened name : KOPEX S.A.

**Subject: Registration of a change in share capital and issue of the Series C shares of KOPEX S.A. by the court.**

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

### **Contents of the report:**

The Management Board of KOPEX S.A. (the Issuer) informs the public that on 01 December 2009 the Company has received decision of the District Court Katowice- Wschód the Eighth Commercial Division of the National Court Register dated 01 December 2009 on registration raising the Company's share capital and registration of 6,700,000 common bearer Series C shares of nominal value 1.00 zloty each; the shares in question are not preference shares.

After registration share capital of the Company amounts to the number of 74,332,538.00 (say: seventy four million three hundred thirty two and five hundred thirty eight) shares of nominal value 1.00 zloty (say: one zloty) each, including:

- a) 19,892,700 (say: nineteen million eight hundred ninety two thousand and seven hundred) common bearer Series A shares
- b) 47,739,838 (say: forty seven million seven hundred thirty nine thousand and eight hundred thirty eight) common bearer Series B shares and
- c) 6,700,000 (say: six million and seven hundred) common bearer Series B shares.

A total number of the voting rights resulting from all the shares that have been issued so far and after registration of changes in the share capital amounts to the number of 74,332,538.

The Issuer encloses the uniform text of the Statues of Association which includes the registered change in the share capital.

Legal basis: Cl.5 Par.1 Item9) of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuers 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 ze zm*).