

FINANCIAL SUPERVISORY COMMISSION

Current Report No 19/2009

Date: 28 January 2009

Issuer's shortened name: KOPEX SA

Subject: Significant domestic agreement of the TAGOR S.A. Consortium (the Issuer subsidiary) and KOPEX S.A. (the Issuer).

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 about signing on 27 January 2009 an agreement between Fabryka Maszyn i Urzadzen TAGOR S.A. Consortium with registered seat in Tarnowskie Gory (the Issuer subsidiary) and KOPEX S.A (the Issuer) – Contractor- with Kompania Weglowa S.A. C.W. Wschod Oddzial KWK Piast – Orderer-. TAGOR S.A. is Leader of the TAGOR S.A. /KOPEX S.A. Consortium. Subject of the agreement is supply of brand new armoured face conveyor and beam stage loader. Net value of the agreement amounts to PLN 1,728 thou. Term of the agreement is 12 weeks from signing.

Stipulated penalties:

- The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of gross agreement value if the Orderer renounces the agreement due to the reasons caused by the Contractor;
- The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of gross agreement value if the Contractor renounces the agreement due to the reasons caused by the Orderer;
- The Contractor will pay the Orderer stipulated penalties amounting to 0.1% of gross agreement value for each day of delay in the completing the agreement.
- If damage value exceeds value of the stipulated penalties, the Parties admit claiming damages based on general rules.

Detailed conditions of the agreements stick 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 215,949 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 15/2009 dated 20 January 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.

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.