

FINANCIAL SUPERVISORY COMMISSION

Current Report No 198/2009

Date: 15.12.2009

Issuer's shortened name: KOPEX SA

Subject: Domestic agreement of the Issuer's subsidiary.

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

Report contents:

Management Board of KOPEX SA with registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 15 December 2009 by WAMAG S.A. with a registered seat in Wałbrzych (the Issuer subsidiary), the agreement signed with Jastrzębska Spółka Węglowa S.A. with registered seat in Jastrzębie Zdrój.

The parties of the agreement dated 23 November 2009 are WAMAG S.A. – the Contractor and Jastrzębska Spółka Węglowa S.A. KWK „Zofiówka“ – the Orderer.

The subject of the agreement is modernisation of cole preparation plant in Zakład Przeróbki Mechanicznej Węgla KWK „Zofiówka“.

Value of the agreement: 14.900.000,00 PLN + 22% VAT

Term of the agreement: 15 months from the date of signing the agreement

Stipulated penalties:

In case of backing out of the agreement due to the reasons attritbutable only to the Contractor, the Contractor is obligated to pay the Orderer stipulated penalties amounting to 10% of the remuneration value for works that has been abandoned. In case of backing out of the agreement due to the reasons attritbutable only to the Orderer, the Orderer is obligated to pay the Contractor stipulated penalties amounting to 10% of the remuneration value for works that has been abandoned. If the stipulated penalties do not cover the losses the parties may claim additional compensation in the general basis of the Civil Code. 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 significiant 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 254.947 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 187/2009 dated 13 December 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 136/2009 dated 30 July 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*).