

FINANCIAL SUPERVISORY COMMISSION

Current Report No 199/2009

Date: 16.12.2009

Issuer's shortened name: KOPEX SA

Subject: Agreement of consortium of Kopex Group subsidiaries.

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

Report contents:

Management Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 16 December 2009 by Zabrzeńskie Zakłady Mechaniczne S.A. with a registered seat in Zabrze (the Issuer subsidiary) an agreement signed with Jastrzębska Spółka Węglowa S.A. with a registered seat in Jastrzębie Zdrój.

The parties of the agreement dated 23 November 2009 are: Consortium of the following firms as the Leaser – Zabrzeńskie Zakłady Mechaniczne S.A. (Consortium Proxy), Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. (Consortium Participant) and as the Lessee – Jastrzębska Spółka Węglowa S.A. KWK „Jas-Mos“.

The subject of the agreement is lease of a longwall shearer for Jastrzębska Spółka Węglowa S.A. KWK „Jas-Mos“.

Value of the agreement: PLN 4.104.100,00 thou + 22% VAT

Term of the agreement: 455 days

Stipulated penalties:

In case of backing out of the agreement due to the reasons attributable to the Leaser, the Leaser is obligated to pay the Lessee stipulated penalties amounting to 10% of the gross agreement value. The payment of stipulated penalties shall not preclude 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 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 259.051 thou, including this one. The Issuer informed about the last

agreement signed with this customer in the current report RB 198/2009 dated 15.12.2009. 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 30.07.2009 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*).