

FINANCIAL SUPERVISORY COMMISSION

Current Report No 203/2009

Date: 23.12.2009

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 23 December 2009 by Zabrzeńskie Zakłady Mechaniczne S.A. with a registered seat in Zabrze (the Issuer subsidiary), the agreement signed with Kompania Węglowa S.A. with registered seat in Katowice.

The parties of the agreement are Zabrzeńskie Zakłady Mechaniczne S.A. – the Leaser and Kompania Węglowa S.A. KWK „Knurów“ – the Lessee.

The subject of the agreement is lease of a KSW-880EU longwall shearer with a full guarantee and service support in order to complete the extraction of the wall no 12 in the 407/1 bed for KW S.A. KWK Knurów.

Value of the agreement: PLN 1.470.000,00 + 22%VAT

Term of the agreement: to the completion the extraction of the wall no 12 but no longer than 200 calendar days

Stipulated penalties:

Each part of the agreement is obliged to pay stipulated penalties amounted to 10% of gross agreement value if it renounces the agreement due to the reasons caused by this party. 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 196.676 thou, including this one. The Issuer informed about the last

agreement signed with this customer in the current report RB 201/2009 dated 21 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 3/2009 dated 8 January 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*).