

FINANCIAL SUPERVISORY COMMISSION

Current Report No 2/2009

Date: 6 January 2009

Issuer's shortened name: KOPEX SA

Subject: Significant domestic agreements of the Issuer subsidiary

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 as follows:

On 6 January 2009 the Issuer was informed about two agreements signed between WAMAG S.A. with registered seat in Walbrzych (the Issuer subsidiary) and Kompania Weglowa S.A. with registered seat in Katowice.

The first agreement was signed on 12 December 2008 between WAMAG S.A. (Consortium Leader) and PEMUG SA with registered seat in Katowice (Consortium Member)- Contractors – and Kompania Weglowa SA, KWK Knurów – Orderer. Subject of the agreement is repair of roofs and pillars in the neighbourhood of a suspension separator. Net value of the agreement amounts to PLN 379 thou. Term of the agreement is until 31 December 2008.

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 Orderer.
- The Contractor is obliged to pay the Orderer stipulated penalties amounting to 0.1% of gross agreement value for each day of delay in execution of the agreement but not more than to 10% of gross agreement value.

The second agreement was signed on 18 December 2008 between WAMAG S.A. – Contractor- and Kompania Weglowa SA, KWK Marcel – Orderer. Subject of the agreement is supply of a vibrating screen. Net value of the agreement amounts to PLN 165 thou. Term of the agreement is 6 weeks from its 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 Orderer
- The Contractor is obliged to pay the Orderer stipulated penalties amounting to 0.1% of gross agreement value for each day of delay in execution of the agreement or of delay in completion of the warranty repair.

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 168,334 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 160/2008 dated 23 December 2008. 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 134/2008 dated 29 October 2008.

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.