

## FINANCIAL SUPERVISORY COMMISSION

### Current Report No 26/2009

Date: 6 February 2009

Issuer's shortened name: KOPEX SA

**Subject: Information on acquisition of own shares to resale them further.**

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), referring to the current report RB 154/2008 dated 12 December 2008 and basing on the information received from ING Securities S.A. today, hereby informs the public that from 30 January 2009 to 5 February 2009 there were acquired altogether 69,306 own shares of KOPEX S.A. to resale them further, of nominal price of 1 PLN per share; the acquisition was executed in the framework of "Acquisition/ buy-back of KOPEX S.A. own shares programme" (Programme), in the part concerning acquisition of the own shares to resale them further, basing on the authority granted the Management Board of the Issuer, by the terms of resolution No 2 of the EGM of KOPEX S.A. dated 11 December 2008 and by the terms of the resolution of the Management Board of the Issuer dated 12 December 2008.

Average price of the shares acquired in the a.m. period of time amounts to PLN 9.78 per share.

The acquired shares make 0.102% of KOPEX S.A. share capital and entitle to 0.102% of total votes at the general meeting of KOPEX S.A.

Own shares were acquired during trading sessions in the primary market of the *Gielda Papierow Wartosciowych w Warszawie S.A.* (Warsaw Stock Exchange) through ING Securities S.A. brokerage house with registered seat in Warsaw, acting on the basis of the brokerage services agreement signed with ING Securities SA in connection with acquisition of KOPEX S.A. own shares programme, dated 12 December 2008.

From 15 December 2008, i.e. the Programme's commencement, to 5 February 2009 there were acquired altogether 276,500 own shares of KOPEX S.A., at average price of PLN 10.75 per share.

Shares acquired make 0.409% of KOPEX S.A. share capital and entitle to 276,500 votes at the GM what makes 0.409% of total votes at the general meeting of KOPEX S.A.