

FINANCIAL SUPERVISORY COMMISSION

Current Report No 3/2010

Date: 8.01.2010

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 8 January 2010 by Zabrzeńskie Zakłady Mechaniczne S.A. with a registered seat in Zabrze (the Issuer subsidiary), the agreement signed with Kompania Węglowa S.A. with a registered seat in Katowice.

The parties of the agreement dated 11.12.2009 are Zabrzeńskie Zakłady Mechaniczne S.A. – the Lessor and Kompania Węglowa S.A. – the Lessee.

The subject of the agreement is lease of longwall shearer with full warranty maintenance services in the whole lease term for KW S. A. Oddział Rydułtowy – Anna R-I.

Value of the agreement: 686.736,00 PLN + 22% VAT

Term of the agreement: 152 days

Stipulated penalties:

In case of renounces the agreement by the Lessor, due to the reasons attritbutable to him, the Lessor is obligated to pay the Lessee stipulated penalties amounting to 10% of the agreement value. In case of renounces the agreement by the Lessee, due to the reasons attritbutable to him, the Lessee is obligated to pay the Lessor stipulated penalties amounting to 10% of the agreement value. The parties may claim on general legal basis up to the value of the losses borne in fact. 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 (Issuer's equity capital, according to interim report for the III quarter 2009, account for 1.162.158 PLN) 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 203.484 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 205/2009 dated 28.12.2009. 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 3/2009 dated 8.01.2009 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*).