

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 38/2010

Date: 6 April 2010

Issuer's shortened name: KOPEX S.A.

Subject: **Domestic agreements of the Issuer's subsidiary.**

Legal basis: Law on Offer, Art. 56, Par.1 Item 2– current and periodic information

Contents of the report:

Management Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 2 April 2010 by KOPEX – Przedsiębiorstwo Budowy Szybów S.A. with a registered seat in Bytom (the Issuer's subsidiary) an agreement signed with Kompania Węglowa S.A. with a registered seat in Katowice.

The parties of the agreement dated 8 March 2010 are KOPEX – Przedsiębiorstwo Budowy Szybów S.A. – the Leaser and Kompania Węglowa S.A. Oddział KWK Halemba-Wirek - the Lessee.

The subject of the agreement is a lease of devices built-up on the North II shaft for KW S.A. Oddział KWK Halemba-Wirek.

Net value of the agreement: PLN 1.387.365,00

Term of the agreement: till 31.12.2012

Stipulated penalties:

The Leaser is obligated to pay the Lessee a stipulated penalty amounting to 10% of gross agreement value in case of backing out of the agreement by either party due to the reasons caused by the Leaser. The Lessee is obligated to pay the Leaser a stipulated penalty amounting to 10% of gross agreement value in case of backing out of the agreement by the Leaser due to the reasons caused by the Lessee. If the stipulated penalties do not cover damage sustained the Leaser may claim on Civil Code basis. 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 fourth quarter 2009, amounts to PLN 1.319.861) 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 134.990 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 34/2010 dated 23.03.2010. 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 90/2009 dated 11.05.2009 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*).