

FINANCIAL SUPERVISORY COMMISSION

Current report No 53 / 2009 C

Date : 21.04.2009

Issuer's shortened name : KOPEX S.A.

Subject:

Notice of change in total votes quota at KOPEX S.A.

Legal basis :

Law on Offer , Art. 56, Par 1 CL.2 – current and cyclic information.

Contents of the report:

By virtue of Par.6 Cl.2 of Minister of Finance Regulation dated 19 February 2009 on current and periodic information transmitted by issuers of shares and in pursuance of the letter transmitted today by Mr. Krzysztof Jędrzejewski – Vice Chairman of Management of Board of KOPEX S.A., the Issuer corrects the information transmitted in the current reports Nr RB53/2009 dated 12 March 2009 and Nr RB 30/2009 dated 10 February 2009 concerning the state of share holding at KOPEX S.A. by Mr. Krzysztof Jędrzejewski. the Issuer informs about the contents of the mentioned letter below citing:

“In pursuance of the information received on 17 April 2009 stating that Financial Supervisory Commission by virtue of the letter dated 9 April 2009 (Ref Nr DNO/WNO/023/9/4/09/MR) answered the questions of KOPEX S.A. ascertaining, inter alia, that cit: “acquisition of its own shares by a public company that depends on a major share – holder is the indirect acquisition of a public company shares”, I hereby correct the notification dated 9 February 2009 and the one dated 13 March 2009 concerning the change of the state in share holding at the KOPEX S.A public company and I inform as follows:

- 1) Prior to the Decision passed on 6 February by a District Court in Warsaw ascertaining the acquisition of the inheritance of the deceased brother Leszek Jędrzejewski I had held altogether 4.854.555 shares of KOPEX S.A. making 7,18% of participation in the company's equity capital and entitling to 4.854.555 votes at the general assembly of KOPEX S.A. which constitutes 7,18% of the general number of votes, in this:
 - a) indirectly I had held 4.578.055 shares of KOPEX S.A. making 6,77 % of participation in the company's equity capital and entitling to 4.578.055 votes at the general assembly which constitutes 6,77% of the general number of votes.

b) directly by the society KOPEX S.A. with a registered seat in Katowice I had held 276.500 shares of this company, making 0,41 % of participation in the company's equity capital and entitling to 276.500 votes at the general assembly which constitutes 0,41% of the general number of votes. Those shares were acquired by KOPEX S.A. during the process of buying the company's own shares in purpose of their further sale starting from the day of initiating the "Program of acquisition (buying) KOPEX S.A. own shares , it means in the period of 15 December 2008 to 5 February 2009 including. Together with my mother – Anna Jędrzejewska we had held at that time 5.164.339 shares making 7,63% of participation in KOPEX S.A. equity capital and entitling to 5.164.339 votes at the general assembly which constitutes 7,63% of the general number of votes.

2) As a result of overtaking the inheritance of the deceased brother Leszek Jędrzejewski in pursuance of the Decision passed on 6 February 2009 by a District Court in Warsaw ascertaining the acquisition of the inheritance, I hold altogether 44.596.675 shares of KOPEX S.A. making 65,94 % of participation in the company's equity capital and entitling to 44.696.675 votes at the general assembly which constitutes 65,94 % of the general number of votes, in this:

- a) indirectly I hold 44.050.175 shares of KOPEX S.A. making 65,13 % of participation in the company's equity capital and entitling to 44.050.175 votes at the general assembly which constitutes 65,13 % of the general number of votes.
- b) directly by the society KOPEX S.A. with a registered seat in Katowice I hold 276.500 shares of this company, making 0,41 % of participation in the company's equity capital and entitling to 276.500 votes at the general assembly which constitutes 0,41% of the general number of votes.
- c) directly by the society PBP "Puławy" Development Ltd with a registered seat in Poznań I hold 270.000 shares of KOPEX S.A. in Katowice , making 0,40 % of participation in the company's equity capital and entitling to 270.000 votes at the general assembly which constitutes 0,40% of the general number of votes.

Together with my mother – Anna Jędrzejewska we hold 44.906.459 shares making 66,39% of participation in KOPEX S.A. equity capital and entitling to 44.906.459 votes at the general assembly which constitutes 66,39 % of the general number of votes. In fact as a result of heirdom, exceeding of 66% of the general number of votes took place, notwithstanding, after this acquisition, the participation in the company's equity capital

hasn't increased anymore, so there are not premises resulting from the Art.74 Cl.5 of the cited Law on a public offer (obligation of a call announcement).

Legal basis: Art. 69 and 69a of the Law on a public offer dated 29 July 2005 and on conditions of introducing financial instruments into an organized system of trading as well as on public companies (with posterior changes) and the attitude of Financial Supervisory Commission presented in the Letter DNO/WNO/023/9/4/09/MR dated 9 April 2009.

Financial Supervisory Commission