

FINANCIAL SUPERVISORY COMMISSION

Current Report No 61/2009

Date: 19 March 2009

Issuer's shortened name: KOPEX SA

Subject: Domestic agreement 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 that today the Issuer has been aware of receiving on 18 March 2009 by KOPEX-Przedsiębiorstwo Budowy Szybow S.A. with registered seat in Bytom (the Issuer subsidiary) an agreement signed with Kompania Weglowa SA with registered seat in Katowice.

KOPEX-Przedsiębiorstwo Budowy Szybow S.A. based in Tarnowskie Gory –Contractor- and Kompania Weglowa S.A. based in Katowice, KWK Murcki (the Murcki Coal Mine)- Orderer- are Parties to the agreement dated 16 March 2009.

Subject of the agreement is driving galleries.

Net value of the agreement amounts to PLN 1,530 thou.

Term of the agreement is 2 months from making site accessible.

Stipulated penalties

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 the Orderer.

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.

Detailed conditions of the agreements 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 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 conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 120,481 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 59/2009 dated 17 March 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 1/2009 dated 6 January 2009, that also comprises information on the highest value agreement set forth in Par.9, Cl.1-7 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.