

FINANCIAL SUPERVISORY COMMISSION

Current Report No 6/2010

Date: 13.01.2010

Issuer's shortened name: KOPEX SA

Subject: Agreement of consortium of Kopex Group subsidiaries.

Legal basis: Law on Offer; Art. 56, Par. 1, It. 2 – current and cyclic information

Report contents:

Management Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 13 January 2009 by Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. with a registered seat in Zabrze (the Issuer's subsidiary) an agreement signed with Kompania Węglowa S.A. with a registered seat in Katowice.

The parties of the agreement dated 23 December 2009 are: Consortium of the following firms: Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. (Consortium Proxy), Zabrzeńskie Zakłady Mechaniczne S.A. (Consortium Participant, the Issuer's subsidiary), Kopex S.A. (Consortium Participant) as the Leaser and Kompania Węglowa S.A., Centrum Wydobywcze Zachód – as the Lessee.

The subject of the agreement is lease of a longwall shearer for longwall 15 in stratum 401/1 for KW S.A. Oddział KWK „Knurów“. Safeguarding warranty and maintenance services are guarantee in the whole lease term.

Value of the agreement: PLN 4.246.720,00 + 22% VAT

Term of the agreement: 577 days

Stipulated penalties:

Each part of the agreement is obliged to pay stipulated penalties amounted to 10% of gross agreement value if it renounces the agreement due to the reasons caused by this party. Apart that the parties may claim on general legal basis up to the value of the losses borne in fact but not higher than the value of the agreement. 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 third quarter 2009, amounts to PLN 1.162.158) 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 162.991 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 4/2010 dated 8.01.2010. 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*).