

FINANCIAL SUPERVISORY COMMISSION

Current Report No 67/2009

Date: 25 March 2009

Issuer's shortened name: KOPEX SA

Subject: A 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 25 March 2009 by Zabrzanskie Zaklady Mechaniczne-Maszyny Gornicze Sp. z o.o. with registered seat in Zabrze (the Issuer subsidiary) an agreement signed with Kompania Weglowa S.A. with registered seat in Katowice.

Zabrzanskie Zaklady Mechaniczne- Maszyny Gornicze Sp. z o.o based in Zabrze (Proxy) together with Zabrzanskie Zaklady Mechaniczne S.A. based in Zabrze (Participant- the Issuer subsidiary) – LESSOR- and Kompania Weglowa S.A. based in Katowice, Oddzial KWK Piast (the Piast Coal Mine) –

LESSEE- are Parties to the agreement dated 05 March 2009.

Subject of the agreement is lease of a brand new KSW-880EU longwall shearer with comprehensive warranty and maintenance service during the whole lease term.

Value of the agreement amounts to PLN 7,467,900 thou net plus 22% VAT.

Term of the agreement is 1,095 days.

Stipulated penalties:

The Lessor is obliged to pay the Lessee stipulated penalties amounting to 10% of gross agreement value if the Lessee renounces the agreement due to the reasons caused by the Lessor.

The Lessee is obliged to pay the Lessor stipulated penalties amounting to 10% of gross agreement value if the Lessor renounces the agreement due to the reasons caused by the Lessee.

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 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 202,481.3 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 66/2009 dated 24 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 3/2009 dated 8 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.