

FINANCIAL SUPERVISORY COMMISSION

Current Report No 70/2009

Date: 26 March 2009

Issuer's shortened name: KOPEX SA

Subject: Domestic agreements 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 by Fabryka Maszyn i Urzadzen TAGOR S.A. with registered seat in Tarnowskie Gory (the Issuer subsidiary) two agreements signed with Katowicki Holding Weglowy S.A. with registered seat in Katowice.

- 1) The first agreement received by TAGOR S.A. on 25 March 2009 and dated 05 March 2009 was signed between TAGOR S.A. based in Tarnowskie Gory- Supplier- and Katowicki Holding Weglowy S.A. Katowice, KWK Wujek (the Wujek Coal Mine) –Orderer.

Subject of the agreement is supply of SN 400ZM friction props, in accordance with specification set forth in the agreement.

Net value of the agreement amounts to PLN 3,546,250.00 thou.

Term of the agreement is 18 months from signing the agreement; the agreement is to be executed by the Supplier basing on subsequent orders in writing placed within 14 days from their receiving by the Orderer.

- 2) The second agreement dated 05 March 2009 was signed between TAGOR S.A. based in Tarnowskie Gory- Supplier- and Katowicki Holding Weglowy S.A. Katowice, KWK Staszic (the Staszic Coal Mine) –Orderer.

Subject of the agreement is supply of SN 400ZM friction props, in accordance with specification set forth in the agreement.

Net value of the agreement amounts to PLN 1,659,550.00 thou.

Term of the agreement is 18 months from signing the agreement; the agreement is to be executed by the Supplier basing on subsequent orders in writing placed within 14 days from their receiving by the Orderer.

Stipulated penalties concerning both of the a.m. agreements:

The Supplier is obliged to pay the Orderer stipulated penalties amounting 10% of the value of non-executed part of the agreement if the Orderer renounces the agreement due to the reasons caused by the Supplier.

The Orderer is obliged to pay the Supplier stipulated penalties amounting 10% of the value of non-executed part of the agreement if the Supplier renounces the agreement due to the reasons caused by the Orderer.

Irrespective of the stipulated penalties, the Parties may claim on the basis of the Civil Code.

The a.m. agreements envisage that the Orderer commits himself to place orders for execution of the subject of the agreement of total value not less than 70% of the agreement value and the Supplier will not claim if up to 30% of the agreement value is not executed, i.e. if total orders value up to 30 % of the agreement is not placed by the Orderer.

Detailed conditions of the agreements stick to the conditions commonly applied in the agreements of this kind.

In both a.m. agreements, 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.

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In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 125,711 thou, including these ones.

The Issuer informed about the last agreement signed with this customer in the current report RB 65/2009 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 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.

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