

## FINANCIAL SUPERVISORY COMMISSION

### Current Report No 71/2009

Date: 27 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 on 27 March 2009 by Zabrzanskie Zaklady Mechaniczne-Maszyny Gornicze Sp. z o.o. with registered seat in Zabrze (the Issuer subsidiary) two agreements signed with Kompania Weglowa S.A. with registered seat in Katowice.

1) The first agreement dated 19 March 2009 was signed between Zabrzanskie Zaklady Mechaniczne S.A. based in Zabrze – Lessor- and Kompania Weglowa S.A. based in Katowice- Lessee.

Subject of the agreement is lease of KSW-460NZ longwall shearer with comprehensive warranty services during the whole lease term, for longwall operations in Oddzial Zaklad Gorniczny Piekary (the Piekary Mining Plant)

Value of the agreement amounts maximum to PLN 910,800.00 thou net plus 22% VAT.

Term of the agreement is 184 days.

2) The second agreement dated 16 February 2009 was signed between Zabrzanskie Zaklady Mechaniczne S.A. based in Zabrze – Lessor- and Kompania Weglowa S.A. based in Katowice, - Lessee.

Subject of the agreement is lease of KSW-1140E longwall shearer with electric drive, together with supplementary equipment and comprehensive warranty and maintenance services during the whole lease term for longwall operations in KW S.A. Oddzial KWK Ziemowit (the Ziemowit Coal Mine).

Value of the agreement amounts maximum to PLN 373,500.00 thou net plus 22% VAT.

Term of the agreement is 75 days.

Stipulated penalties concerning both a.m. agreements.

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 net 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.

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.

.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 203,669 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 69/2009 dated 26 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.

.