

## FINANCIAL SUPERVISORY COMMISSION

### Current Report No 103/2009

Date: 29 May 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 29 May 2009 by WAMAG S.A. with registered seat in Walbrzych (the Issuer subsidiary) an agreement with Katowicki Holding Weglowy S.A. with registered seat in Katowice signed on 5 May 2009.

WAMAG S.A. based in Walbrzych- Contractor - and Katowicki Holding Weglowy S.A. Oddzial KWK Murcki (the Murcki Mine)- Orderer- are Parties to the agreement.

Subject of the agreement is supply of a mining skip (with a cage) 27,0 T.

Net value of the agreement amounts to PLN 665,000.00 thou .

Term of the agreement is 6 months from acceptance of an order in writing.

Stipulated penalties: there are no entries regarding stipulated penalties, in accordance of Par.9 Cl.5 of the Minister of Finance Regulation on current and cyclic information (...).

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 (...).

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 135,371 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 86/2009 dated 28 April 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 and in the annex No 1. to this agreement, the Issuer informed about it in the current report RB 74/2009 dated 1 April 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 (...). **Podstawa prawna.....**