

FINANCIAL SUPERVISORY COMMISSION

Current Report No 126/2008

Date: 3 October 2008

Issuer's shortened name: KOPEX SA

Subject: Significant inland agreement of the Issuer subsidiary

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

Report contents:

Management Board of KOPEX SA with registered seat in Katowice (the Issuer) informs as follows:

On 3 October 2008 the Issuer was informed about signing an agreement between Zabrzanskie Zaklady Mechaniczne SA with registered seat in Zabrze (the Issuer subsidiary)-Lessor- and Kompania Weglowa S.A. Oddzial KWK Marcel – Lessee. Subject of the agreement is lease of the KSW-460 NE longwall shearer that will be operated in longwall No M-10, seam No 707/2.

Net value of the agreement amounts to PLN 3,707 thou. Term of the agreement is 516 days from signing the agreement.

Stipulated penalties:

- The Lessor will pay the Lessee stipulated penalties amounting to 10% of the agreement value if the Lessee renounces the agreement due to the reasons caused by the Lessor,
- The Lessee will pay the Lessor stipulated penalties amounting to 10% of the agreement value if the Lessor renounces the agreement due to the reasons caused by the Lessee,
- The Lessee may be charged by the Lessor with stipulated penalties amounting to 100% of the daily gross lease rate for each day of grace in non-collecting the subject of the lease agreement on the day agreed,
- The Lessee may be charged by the Lessor with stipulated penalties in case of not returning in 14 days longwall shearer parts that were missing on the day of returning the subject of the agreement; the stipulated penalties will amount to 50% price of new longwall shearer parts, in accordance with purchase price list obligatory for KSW SA.
- The Lessor may be charged by the Lessee with stipulated penalties for standstill of the longwall shearer resulted from the machine breakdown:
 - amounting to 0.02% of the agreement value for each hour commenced between 16th and 24th standstill hour.
 - amounting to 0.04% of the agreement value for each hour commenced over 24th standstill hour.

Detailed conditions of the agreement comply with conditions usually applied in agreements of this kind.

For the last 12 months the Issuer subsidiaries have signed agreements with the customer in question and its subsidiaries amounting altogether to PLN 128,674 thou (this agreement included).

The Issuer informed about the last agreement signed with this customer in the current report RB 119/2008 on 19 September 2008.

Agreement of the biggest value signed in the last 12 months is the agreement concluded on 13 March 2008 between consortium of companies PBez Zaklad Usług Gornicznych Sp. z o.o. with registered seat in Bytom (the Issuer subsubsidiary) – Consortium Leader- and VACAT Sp. z o.o. with registered seat in Rybnik – Consortium Participant; net agreement value amounted to PLN 19,893 thou.

Value of the Issuer's equity in the end of Q2 2008, amounting to PLN 1,206,061 thou was accepted as a criterion of a significant agreement.