

FINANCIAL SUPERVISORY COMMISSION

Current report No 137/ 2009

Date : 31.07.2009

Issuer's shortened name : KOPEX S.A.

Subject:

Domestic agreement of the Issuer's subsidiary.

Legal basis :

Law on Offer , Art. 56, Par 1 Cl.2 – current and cyclic information.

Contents of the report:

The Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 31 July 2009 by WAMAG S.A. with a registered seat in Wałbrzych (the Issuer subsidiary), the agreement signed with Kompania Węglowa S.A. with a registered seat in Katowice.

The parties of the agreement dated 8 July 2009 are: WAMAG S.A. – the Executor and Kompania Węglowa S.A., Centrum Wydobywcze Północ – the Orderer.

The subject of the agreement is supply of spare parts for crushers produced by WAMAG S.A. for Kompania Węglowa S.A. in 2009.

Value of the agreement – 2.143.142,00 PLN net

Term of the agreement – till 31 December 2009

Stipulated penalties:

1. The Executor is obliged to pay the Orderer stipulated penalties:
 - amounting to 10% of the gross value of an unrealized portion of the agreement if the Orderer renounces the agreement due to the reasons caused by the Executor.
 - amounting to 10% of the gross value of the merchandise determined each time in an unrealized portion of the order if the Orderer renounces the agreement due to the reasons caused by the Executor.
2. The Orderer is obliged to pay the Executor stipulated penalties amounting to 10% of the gross value of the merchandise determined each time in an unrealized portion of the agreement if the Executor renounces the agreement due to the reasons caused by the Orderer.

The detailed conditions of the above mentioned agreement do not differ from the conditions commonly applied in this kind of agreement.

The criterion of recognizing an agreement as a significant one is exceeding by it of 10% of bounds pertaining to the Issuer's equity capital and fulfillment of the criteria set forth in Par.2 Cl.1.44 and Par.2 Cl.2 of Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...)

In the past 12 months the Issuer subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 241.127 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 133/2009 dated 23 July 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 contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of Regulation by the Minister of Finance dated 19 February 2009 on current and periodic information (...)

Legal basis of transmission : Par 5 Cl.1.3 in relation with Par.2 Cl.2 and Par.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information transmitted by issuers of shares and conditions of recognizing as equivalent the information required by legal regulations of a country which is not a member country (Dz.U. dated 2009, No 33, pos. 259).