

FINANCIAL SUPERVISORY COMMISSION

Current Report No 14/2009

Date: 21 January 2009

Issuer's shortened name: KOPEX SA

Subject: Significant 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 on 20 January 2009 the Issuer became aware of signing agreement between Zabrzanskie Zakłady Mechaniczne SA. with registered seat in Zabrze (the Issuer subsidiary- Lessor) and Kompania Weglowa SA Centrum Wydobywcze Wschod Oddzial KWK Bielszowice (Lessee). Subject of the agreement is lease of a longwall shearer with full warranty and maintenance services in the whole lease term. Net value of the agreement amounts to PLN 2,668 thou. Term of the agreement is 456 days.

Stipulated penalties:

- 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 gross agreement value if the Lessor renounces the agreement due to the reasons caused by Lessee.
- The Lessee may be charged by the Lessor with stipulated penalties amounting to 100% of a daily lease rate in case of noncollecting the subject of the agreement on the day fixed
- The Lessee may be charged by the Lessor with stipulated penalties if parts which were missing on the day of return of the subject of the agreement are not returned in 14 days'in compliance with price including exploitation time. In other case, the parties will agree upon amount of compensation.

Irrespective of the stipulated penalties, the parties may claim on general legal basis up to the value of the losses borne in fact, but not exceeding the agreement value.

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

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 215,992 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 13/2009 dated 19 January 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.

Value of the Issuer's equity at the end of Q3 2008, amounting to PLN 1,191,715 thou was accepted as a criterion of a significant agreement.