

FINANCIAL SUPERVISORY COMMISSION

Current Report No 154/2009

Date: 24.09.2009

Issuer's shortened name: KOPEX SA

Subject: Domestic agreement of the Issuer's subsidiary.

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

Report contents:

Management Board of KOPEX SA with registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 24 September 2009 by Zabrzeńskie Zakłady Mechaniczne S.A. with a registered seat in Zabrze (the Issuer subsidiary), the agreement signed with Jastrzębska Spółka Węglowa S.A. with registered seat in Jastrzębie Zdrój.

The parties of the agreement dated 20 August 2009 are Zabrzeńskie Zakłady Mechaniczne S.A. – the Lesser and Jastrzębska Spółka Węglowa S.A. KWK Budryk – the Lessee.

The subject of the agreement is lease of a high productive shearer with an electronic advance system, KSW – 750 E type, for JSW S.A. KWK Budryk.

Value of the agreement: 846.400,00 PLN + 22% VAT

Term of the agreement: 184 days

Stipulated penalties:

In case of renounces the agreement by the Lessee, due to the reasons attributable to the Lesser, the Lesser is obligated to pay the Lessee stipulated penalties amounting to 10% of the agreement values.

The Lessee may claim for supplementary damages on general rules in accordance with the Civil Code, exceeding the amount of stipulated penalties to the value not higher than the agreement net value.

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

235.642,00 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 151/2009 dated 27 August 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 136/2009 dated 30 July 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: Par.5 Cl.1.3 in connection with Par.2 Cl.2 and Par.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuer of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259*).