

FINANCIAL SUPERVISORY COMMISSION

Current Report No 160/2008

Date: 23 December 2008

Issuer's shortened name: KOPEX SA

Subject: Significant domestic agreements of the Issuer related entities.

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 as follows:

On 23 Decemebr 2008 the Issuer was informed about signing four agreements between legal entities forming the Issuer's Capital Group and Kompania Weglowa S.A. with registered seat in Katowice.

The first agreement was signed between Zabrzanskie Zaklady Mechaniczne S.A. – Contractor- and KW SA, Oddzial KWK Halemba – Orderer. Subject of the agreement is purchase of spare parts and maintenance services to a longwall shearer manufactured by ZZM S.A. Net value of the agreement amounts to PLN 355 thou. Term of the agreement is until 31 December 2008.

Stipulated penalties:

1. The Contractor will pay the Orderer stipulated penalties amounting to:
 - a) 10% of net agreement value if the Contractor renounces the agreement due to the reasons caused by him,
 - b) 0.1% of the agreement value for each day of delay in delivery of the subject of the agreement by the Contractor, but not more than to 10% of net agreement value,
 - c) 0.1% of the agreement value for each day of delay in completion of repair by the Contractor, but not more than to 10% of net agreement value,
 - d) 0.1% of the agreement value for each day of delay in removing defects denominated and evidenced while receipt, but not more than to 10% of net agreement value from the day fixed for defects removal. Defects that were not caused by the Orderer will be removed by the Contractor free of charge.
2. The Orderer will pay the Contractor stipulated penalties amounting to:
 - a) 10% of net agreement value if the Orderer renounces the agreement due to the reasons caused by him,

b) 0.1% of the agreement value for each day of delay in collecting subject of the agreement, but not more than to 10% of net agreement value,

Irrespective of the a.m. stipulated penalties, the Parties to the agreement may claim on the basis of the Civil Code.

The second agreement was signed between WAMAG S.A. (the Issuer subsidiary)– Contractor- and KW SA, Oddzial KWK Brzeszcze-Silesia – Orderer. Subject of the agreement is supply of a screen. Net value of the agreement amounts to PLN 163 thou. Term of the agreement is 10 weeks from its signing.

Stipulated penalties:

1. The Contractor is obliged to pay the Orderer stipulated penalties amounting to:

a) 10% of net agreement value if the Orderer renounces the agreement due to the reasons caused by the Contractor,

b) 0.1% of the agreement value for each day of delay in delivery of the subject of the agreement,

c) 0.1% of the agreement value in case of delivery of defective or incomplete subject of the agreement for each day of delay in delivery from the day fixed for delivery of defect-free subject of the agreement

2. The Orderer is obliged to pay the Contractor stipulated penalties amounting to:

a) 10% of gross agreement value if the Contractor renounces the agreement due to the reasons caused by the Orderer

The third agreement was signed between Fabryka Maszyn i Urzadzen TAGOR SA with registered seat in Tarnowskie Gory (the Issuer subsubsidiary)– Seller- and KW SA, Oddzial KWK Pokoj – Buyer. Subject of the agreement is supply of friction props. Net value of the agreement amounts to PLN 100 thou. Term of the agreement is until 31 December 2008.

The fourth agreement was signed between Fabryka Maszyn i Urzadzen TAGOR SA with registered seat in Tarnowskie Gory (the Issuer subsubsidiary)– Seller and KW SA, Oddzial KWK Pokoj – Buyer. Subject of the agreement is supply of friction props. Net value of the agreement amounts to PLN 100 thou. Term of the agreement is until 31 December 2008.

Stipulated penalties applied in both agreements on supply of friction props.

1. The Seller is obliged to pay the Buyer stipulated penalties amounting to:

a) 10% of the value of nonexecuted part of the agreement if the Buyer renounces the agreement due to the reasons caused by the Seller,

b) 10% of the goods value described each time in the nonexecuted order due to the reasons caused by the Seller,

c) 0.1% of the goods value not handed out on the day fixed and described in the order each time, for each day of delay.

2. The Buyer is obliged to pay the Contractor stipulated penalties amounting to:

a) 10% of net agreement value if the Seller renounces the agreement due to the reasons caused by Buyer,

b) 10% of the goods value described each time in the nonexecuted order due to the reasons caused by the Buyer.

Detailed conditions of all 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 168.309 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 159/2008 dated 22 December 2008. 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 134/2008 dated 29 October 2008.

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.