

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current Report No 169/2009

Date: 03 November 2009

Issuer's shortened name: KOPEX S.A.

Subject: Resolution of the Management Board on raising share capital in the frame of the in-coming capital and depriving present shareholders of their rights to acquire new shares.

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

Report contents:

The Management Board of KOPEX S.A. with registered seat in Katowice (the Issuer) informs the public that on 02 November 2009 The Management Board adopted a Resolution No 072/2009 on raising share capital in the frame of the in-coming capital and depriving present shareholders of their rights to acquire new shares. It took place in the presence of the notary Mrs. Marzena Kubacka-Filas representing Notary's Office based in Zabrze, 3-go Maja 20.

Adoption of the Resolution in question resulted from the prior consent of the Supervisory Board of KOPEX S.A. expressed in the Resolution No 55/VI/2009 of 30 October 2009 on depriving present shareholders of their rights to acquire new shares by the Management Board of KOPEX S.A., due to new shares issue in the frame of the in-coming capital, basing on stipulations set forth in Cl.11a of the Statutes of Association of the Company in connection with Art.447 Cl.2 sentence 2 of the Commercial Companies Code. Contents of the Resolution of the Management Board in question dated 02 November 2009 together with "Detailed conditions of Series C Shares Issue of KOPEX S.A." are in enclosures to this current report delivered to the public.