

FINANCIAL SUPERVISORY COMMISSION

Current report No 171/ 2009

Date : 04.11.2009

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 learned about receiving on 04 November 2009 by Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o. o. with a registered seat in Zabrze (the Issuer subsidiary), the agreement signed with Kompania Węglowa with a registered seat in Katowice.

The parties of the agreement dated 06 October 2009 are the consortium of companies: Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. (the Consortium Agent), Zabrzeńskie Zakłady Mechaniczne S.A. (the Member –the Issuer subsidiary), KOPEX S.A. (the Member) – the Lesser and Kompania Węglowa S.A. – the Lessee.

The subject of the agreement is lease of a shearer with an electrical advance system and cutting height of 2,2m with a full guarantee and service support during the whole period of lease for Kompania Węglowa S.A. KWK Bobrek Centrum Division.

Value of the agreement – 2.517.480,00 PLN net + 22% TVA

Term of the agreement – 333 days

Stipulated penalties: Each Party is obliged to pay the other Party stipulated penalties amounting to 10% of the agreement gross value if the Party renounces the agreement due to the reasons caused by this Party.

The remaining 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 (the Issuer's equity capital according to the interim report for the 3rd quarter of 2009 amounts to 1.162.158 thousand PLN). 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 196.342 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 168/2009 dated 02 November 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 08 August 2009 that also contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of Regulation of 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, No33, pos. 259 with posterior changes).