

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 168/ 2009

Date : 02 November 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 Management of Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today the Issuer has been aware of receiving on 02 November 2009 by WAMAG S.A. with registered seat in Wałbrzych (the Issuer's subsidiary) an agreement signed with Kompania Węglowa S.A. Oddział KWK Brzeszcze-Silesia.

WAMAG S.A. based in Wałbrzych- Contractor- and Kompania Węglowa S.A. Oddział KWK Brzeszcze-Silesia– Orderer- are Parties to the agreement dated 16 October 2009.

Subject of the agreement is supply of brand new PP-100C type air pumps for KW S.A. Oddział KWK Brzeszcze-Silesia.

Net value of the agreement amounts to PLN 345,000.00 PLN.

Term of the agreement is 10 weeks from signing the agreement in question but not later than until 31 December 2009.

Stipulated penalties:

The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the gross agreement value if the Orderer renounces the agreement due to the reasons caused by the Contractor.

The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the gross agreement value if the Contractor renounces the agreement due to the reasons caused by the Orderer.

Irrespective of the stipulated penalties, the Parties may claim on the basis of the Civil Code.

Warranty: the Contractor grants a 18- month warranty from supply date of the equipment to the Orderer's warehouse or a 12-month warranty from commissioning the equipment, depending on the fact which one of the two incidents is going to occur earlier, excluding quick-wearing spare parts included in the Operation and Maintenance Manual.

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 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 193.619 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 164/2009 dated 20 October 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 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 for publishing: 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. z 2009, Nr 33, poz. 259*).