

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 190/ 2009

Date: 09 December 2009

Issuer's shortened name: KOPEX S.A.

Subject: **Notification in compliance with Art.69 of the Law on Offer**

Legal basis: Law on Offer , Art. 70, Item 1 – acquisition or sale of a significant share package

Contents of the report:

The Management Board of KOPEX S.A. (the Issuer) informs that a letter written by Mr. Krzysztof Jędrzejewski, dated 08 December 2009, on notification in compliance with Art.69 Par.2, Item 2 of the Law on Offer has reached the Company.

Text of the Letter in question is as follows:

"In connection with issuing on 01 December 2009 decision regarding registration of raising the Company's share capital and registration of 6,700,000 common bearer Series C shares by the District Court Katowice- Wschód, I inform that it resulted in the decreasing my previous percentage shareholding of KOPEX S.A. share capital but total number of shares held by me remained unchanged.

Prior to the aforesaid registration I held (directly,indirectly and together with my mother Anna Jędrzejewska) altogether 44,906,459 shares of KOPEX S.A, making 66.40% of the share capital of this Company and entitling to 44,629,959 votes at the General Meeting of Shareholders, making 66.26% of total number of votes at the General Meeting of Shareholders of KOPEX S.A., including:

a) directly 44,050,175 shares, making 65.13% of the share capital of this Company and entitling to 44,050,175 votes at the General Meeting of Shareholders, making 65.13% of total number of votes at the General Meeting

b) indirectly through the company PBP Puławy Development Sp. z o.o. with registered seat in Poznań, holding 270,000 shares of KOPEX S.A. based in Katowice, making 0.40% of the share capital and entitling to 270,000 votes at the General Meeting of Shareholders, making 0.40% of total number of votes at the General Meeting

c) indirectly through the company KOPEX S.A., I am a holder of 276,500 shares of KOPEX S.A. (own shares of KOPEX S.A. bought-up by this Company), making 0.41% of the share capital of this Company (in compliance with Art.364 Cl.2 of Commercial Companies Code, the company does not exercise shareholding rights from own shares held, excluding the rights to their sale or to carry out activities aimed at preserving these rights and because of it they are not included into the qualified voting rights at the General Meeting of Shareholders. my mother Anna Jędrzejewska holds 309,784 shares of KOPEX S.A, making 0.46% of the share capital and entitling to 270,000 votes at the General Meeting of Shareholders, making 0.46% of total number of votes at the General Meeting of Shareholders of KOPEX S.A.

At present I am a holder (directly, indirectly and together with my mother Anna Jędrzejewska) of altogether 44,906,459 shares of KOPEX S.A, making 60.41% of the share capital of KOPEX S.A. and entitling to 44,629,959 votes at the General Meeting of Shareholders, making 60.27% of total number of votes at the General Meeting of Shareholders of KOPEX S.A., including:

- a) directly 44,050,175 shares, making 59.26% of the share capital of this Company and entitling to 44,050,175 votes at the General Meeting of Shareholders, making 59.26% of total number of votes at the General Meeting
- b) indirectly through the company PBP Puławy Development Sp. z o.o. with registered seat in Poznań, holding 270,000 shares of KOPEX S.A. based in Katowice, making 0.36% of the share capital and entitling to 270,000 votes at the General Meeting of Shareholders, making 0.36% of total number of votes at the General Meeting
- c) indirectly through the company KOPEX S.A., I am a holder of 276,500 shares of KOPEX S.A. (own shares of KOPEX S.A. bought-up by this Company), making 0.37% of the share capital of this Company (in compliance with Art.364 Cl.2 of Commercial Companies Code, the company does not exercise shareholding rights from own shares held, excluding the rights to their sale or to carry out activities aimed at preserving these rights and because of it they are not included into the qualified voting rights at the General Meeting of Shareholders.
- d) my mother Anna Jędrzejewska holds 309,784 shares of KOPEX S.A, making 0.41% of the share capital and entitling to 270,000 votes at the General Meeting of Shareholders, making 0.41% of total number of votes at the General Meeting of Shareholders of KOPEX S.A.”