

FINANCIAL SUPERVISORY COMMISSION

Current Report No 205/2009

Date: 28.12.2009

Issuer's shortened name: KOPEX SA

Subject: Agreement of consortium of Kopex Group subsidiaries.

Legal basis: Law on Offer; Art. 56, Par. 1, It. 2 – current and cyclic information

Report contents:

Management Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 28 December 2009 by TAGOR S.A. with a registered seat in Tarnowskie Góry (the Issuer subsidiary) an agreement signed with Kompania Węglowa S.A. with a registered seat in Katowice.

The parties of the agreement dated 7 December 2009 are: Consortium of the following firms from Kopex Group: Fabryka Maszyn i Urządzeń TAGOR S.A. in Tarnowskie Góry, BPROZ „BREMASZ“ Sp. z o.o. in Dąbrowa Górnicza and „DOZUT-TAGOR“ in Tarnowskie Góry as the Contractor and Kompania Węglowa S.A. KWK „Rydułtowy-Anna“ as the Orderer.

The subject of the agreement is repair of 120 powered roof support BW 17/43 Poz2 for KW S.A. KWK „Rydułtowy-Anna“.

Net value of the agreement: PLN 6.770.946,72

Term of the agreement: commencement to 3 (three) weeks from the date of the agreement and completion of 4 (four) weeks from the date of commencement of supply

Stipulated penalties:

Each part of the agreement is obliged to pay stipulated penalties amounted to 10% of agreement value if it renounces the agreement due to the reasons caused by this party.

A criterion of recognizing an agreement as a significant one is its transgression of a 10% bound of the Issuer's equity capital (the Issuer's equity capital, according to the interim report for third quarter 2009, amounts to PLN 1.162.158) and fulfillment of the criteria set forth in Par.2, Cl.1.44 and Par.2 Cl.2 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (...). In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 203.446 thou, including this one. The Issuer informed about the last agreement signed with this customer in the current report RB 203/2009 dated 23.12.2009. 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 8.01.2009 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: Par.5 Cl.1.3 in connection with Par.2 Cl.2 and Par.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuer of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259*).