

FINANCIAL SUPERVISORY COMMISSION

Current Report No 45/2009

Date: 04 March 2009

Issuer's shortened name: KOPEX SA

Subject: Significant domestic agreements of the Issuer subsidiary.

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

Report contents:

Management Board of KOPEX S.A. with registered seat in Katowice (the Issuer) advises that on 4 March 2009 the Issuer has become aware of coming today into Zabrzanskie Zaklady Mechaniczne S.A. with registered seat in Zabrze (the Issuer subsidiary) two agreements signed with subsidiaries of Kompania Weglowa SA with registered seat in Katowice.

The first agreement, dated 15 January 2009 was signed by Zabrzanskie Zaklady Mechaniczne S.A. with registered seat in Zabrze- Lessor- and Kompania Weglowa S.A. with registered seat in Katowice, Centrum Wydobywcze Wschod w Bieruniu- Lessee.

Subject of the agreement is lease of KSW-620EZ longwall shearer with electric haulage drive together with supplementary outfit and comprehensive warranty and maintenance services for KW S.A., Oddzial KWK Ziemowit, to be operated in longwall No 706, seam No 207.

Value of the agreement amounts to ca. PLN 189 thou net plus 22%VAT.

Term of the agreement is 32 days.

Stipulated penalties

The Lessor will pay the Lessee stipulated penalties amounting to 10% of gross agreement value if the Lessee renounces the agreement due to the reasons caused by the Lessor.

The Lessee will pay the Lessor stipulated penalties amounting to 10% of the agreement value if the Lessor renounces the agreement due to the reasons caused by the Lessee.

Irrespective of the stipulated penalties, the Parties may claim on the basis of the Civil Code, up to the value of the losses borne in fact but not exceeding value of the agreement.

The second agreement, dated 23 February 2009 was signed by Zabrzanskie Zaklady Mechaniczne S.A. with registered seat in Zabrze- Lessor- and Kompania Weglowa S.A. with registered seat in Katowice, Centrum Wydobywcze Wschod, Oddzial KWK Piast- Lessee.

Subject of the agreement is lease of KSW460 longwall shearer for KW S.A., Oddzial KWK Piast.

Value of the agreement amounts to ca. PLN 381 thou net plus 22%VAT.

Term of the agreement is 90 days including decreasing option by 29 days.

Stipulated penalties

The Lessor will pay the Lessee stipulated penalties amounting to 10% of gross agreement value if the Lessee renounces the agreement due to the reasons caused by the Lessor.

The Lessee will pay the Lessor stipulated penalties amounting to 10% of the agreement value if the Lessor renounces the agreement due to the reasons caused by the Lessee.

Detailed conditions of the agreements stick to the conditions commonly applied in the agreements of this kind.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 217,526 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 42/2009 dated 02 March 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.

Value of the Issuer's equity in the end of Q4 2008, amounting to PLN 1,151,264 thou was accepted as a criterion of a significant agreement.