

FINANCIAL SUPERVISORY COMMISSION

Current Report No 69/2009

Date: 26 March 2009

Issuer's shortened name: KOPEX SA

Subject: 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 today the Issuer has been aware of receiving on 26 March 2009 by Zabrzanskie Zaklady Mechaniczne-Maszyny Gornicze Sp. z o.o. with registered seat in Zabrze (the Issuer subsidiary) an agreement signed with Kompania Weglowa S.A. with registered seat in Katowice.

1) The first agreement dated 10 March 2009 was signed between Zabrzanskie Zaklady Mechaniczne S.A. based in Zabrze – Contractor- and Kompania Weglowa S.A. based in Katowice- Orderer.

Subject of the agreement are successive supplies of necessary brand new spare parts, execution of overhaul services of subassemblies and rendering services of longwall shearers manufactured by ZZM S.A. leased to KW S.A. Oddział KWK Ziemowit (the Ziemowit Coal Mine).

Value of the agreement amounts maximum to PLN 356,250.00 thou net plus 22% VAT.

Term of the agreement is until 31 March 2009.

2) The second agreement dated 10 March 2009 was signed between Zabrzanskie Zaklady Mechaniczne S.A. based in Zabrze – Contractor- and Kompania Weglowa S.A. based in Katowice- Orderer.

Subject of the agreement is execution of emergency overhauls and exchange of elements in KSW-460 NZ longwall shearers operated in KWK Boleslaw Smialy (the Boleslaw Smialy Coal Mine).

Value of the agreement amounts maximum to PLN 380,000.00 thou net plus 22% VAT.

Term of the agreement is until 31 March 2009.

The agreement can be terminated immediately if employees of the Coal Mine are hired to execute works covered by this agreement. In such a case, the Contractor is obliged to pay stipulated penalties to the Orderer amounting to 10% of net agreement value.

Stipulated penalties concerning both a.m. agreements.

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

The agreement envisages payment by the Contractor stipulated penalties to the Orderer for delay in execution, delay in handing over overhaul, delay in removal of defects found out upon acceptance procedure, but none of these stipulated penalties can exceed 10% of net agreement value.

The agreement envisages also payment by the Orderer stipulated penalties to the Contractor for delay in collecting goods, but they cannot exceed 10% of net agreement value.

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

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

In both a.m. agreements, a criterion of recognizing an agreement as a significant one is its transgression of a 10% bound of the Issuer's equity capital 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 conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.

In the past 12 months the Issuer subsidiaries have signed with this customer and its subsidiaries agreements amounting altogether to PLN 202,385 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 67/2009 dated 24 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, that also comprises information on the highest value agreement set forth in Par.9, Cl.1-7 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information conveyed by issuers of securities and conditions of recognizing as equivalent information requested by legal regulations of a country that is not a member country.