

FINANCIAL SUPERVISORY COMMISSION

Current Report No 99/2009

Date: 21 May 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 21 May 2009 by Zabrzanskie Zaklady Mechaniczne S.A. with registered seat in Zabrze (the Issuer subsidiary) two agreement signed with Kompania Weglowa S.A. with registered seat in Katowice.

Zabrzanskie Zaklady Mechaniczne S.A. -Lessor- and Kompania Weglowa S.A. Oddzial KWK Bobrek-Centrum (the Bobrek-Centrum Mine)- Lessee- are Parties to the first agreement signed on 29 April 2009.

Subject of the agreement is lease of KSW-460 NZ longwall shearer for Oddzial KWK Bobrek- Centrum together with comprehensive warranty and maintenance services during the whole lease term.

Value of the agreement amounts to PLN 772,800.00 thou plus 22%VAT

Term of the agreement is 276 days.

Stipulated penalties: Each Party to the agreement is obliged to pay the other Party stipulated penalties amounting to 10% of the agreement value or its part if the Party renounces the agreement due to the reasons caused by this Party.

Zabrzanskie Zaklady Mechaniczne S.A. -Lessor- and Kompania Weglowa S.A. Oddzial KWK Bobrek-Centrum (the Bobrek-Centrum Mine)- Lessee- are Parties to the second agreement signed on 30 April 2009.

Subject of the agreement is lease of KSW-475 longwall shearer together with comprehensive warranty and maintenance services during the whole lease term.

Value of the agreement amounts to PLN 532,350.00 thou plus 22%VAT.

Term of the agreement is 273 days.

Stipulated penalties: no entries regarding stipulated penalties under Par.9 Cl.5 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (...).

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

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 247,773 thou, including this one.

The Issuer informed about the last agreement signed with this customer in the current report RB 97/2009 dated 20 May 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 which 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 (...). 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 issuers 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*).