

**CONSOLIDATED FINANCIAL STATEMENT  
OF THE KOPEX S.A. CAPITAL GROUP**

**drawn up for the period  
1 January 2009 to 31 December 2009**

Katowice, April 2010

**FINANCIAL SUPERVISORY COMMISSION**  
**Annual Report RS 2009**

(in pursuance of CI.82 Par.2 Item 3 of Minister of Finance Regulation dated 19 February 2009 –Dz.U. Nr 33, poz.259) for security issuers running manufacturing, construction, trading or rendering services activities, for fiscal year 2009 (1 January 2009 to 31 December 2009) comprising Financial Statement, in compliance with International Accounting Standards IASs (MSR) in PLN.

Conveyance date: 30 April 2010. Entity authorised to audit financial statements: Europejskie Centrum Audytu Sp. z o.o., based in Kraków.

| SELECTED FINANCIAL DATA   | [PLN thou]                               |  | [EUR thou]                               |  |
|---|--|--|--|--|
|   | from<br>1 Jan. 2009<br>to<br>31 Dec.2009 | from<br>1 Jan. 2008<br>to<br>31 Dec.2008 | from<br>1 Jan. 2009<br>to<br>31 Dec.2009 | from<br>1 Jan. 2008<br>to<br>31 Dec.2008 |
| <b>Abbreviated Consolidated Financial Statement</b>                 |  |  |  |  |
| Net income from sale of products, goods and materials               | 2 313 452                                | 1 982 644                                | 532 980                                  | 561 322                                  |
| Profit (loss) from operating activity                               | 145 346                                  | 169 866                                  | 33 485                                   | 48 092                                   |
| Gross profit (loss)   | 109 736                                  | 129 796                                  | 25 281                                   | 36 748                                   |
| Consolidated net profit (loss)                                      | 96 579                                   | 99 665                                   | 22 250                                   | 28 217                                   |
| Net profit (loss) falling on shareholders of the controlling entity | 87 224                                   | 85 414                                   | 20 095                                   | 24 182                                   |
| Net cash flow from operating activity                               | 33 973                                   | 52 756                                   | 7 827                                    | 14 936                                   |
| Net cash flow from investment activity                              | -203 856                                 | -260 981                                 | -46 965                                  | -73 888                                  |
| Net cash flow from financial activity                               | 150 852                                  | 219 072                                  | 34 754                                   | 62 023                                   |
| Total net cashflow  | -19 031                                  | 10 847                                   | -4 384                                   | 3 071                                    |
| Number of shares  | 67 639 372                               | 67 632 538                               | 67 639 372                               | 67 632 538                               |
| Net profit/loss on one common share [PLN/EUR]                       | 1.29                                     | 1.26                                     | 0.30                                     | 0.36                                     |
| Diluted book value on one common share [PLN/EUR]                    |  |  |  |  |
|   | from<br>1 Jan. 2009<br>to<br>31 Dec.2009 | from<br>1 Jan. 2008<br>to<br>31 Dec.2008 | from<br>1 Jan. 2009<br>to<br>31 Dec.2009 | from<br>1 Jan. 2008<br>to<br>31 Dec.2008 |
| Total fixed assets  | 1 961 766                                | 1 853 044                                | 477 524                                  | 444 119                                  |
| Total current assets  | 1 387 858                                | 1 364 952                                | 337 826                                  | 327 138                                  |
| Total assets  | 3 351 135                                | 3 228 031                                | 815 719                                  | 773 663                                  |
| Liabilities and reserves for liabilities                            | 1 010 537                                | 1 133 054                                | 245 980                                  | 271 559                                  |
| Long term liabilities   | 215 002                                  | 141 621                                  | 52 335                                   | 33 942                                   |
| Short term liabilities  | 670 539                                  | 855 434                                  | 163 220                                  | 205 022                                  |
| Equity  | 2 340 598                                | 2 094 977                                | 569 738                                  | 502 104                                  |
| Share capital   | 74 333                                   | 67 633                                   | 18 094                                   | 16 210                                   |
| Number of shares  | 67 639 372                               | 67 632 538                               | 67 639 372                               | 67 632 538                               |
| Book value on one common share [PLN/EUR]                            | 34.60                                    | 30.98                                    | 8.42                                     | 7.42                                     |
| Diluted book value on one common share [PLN/EUR]                    |  |  |  |  |
| Declared or paid dividend on one common share [PLN/EUR]             |  |  |  |  |

**I. Consolidated Statement of Financial Position of the Capital KOPEX S.A. Group  
drawn up as for 31 December 2009 in thousand zlotys.**

| <b>Assets</b>  | <b>31 December<br/>2009</b> | <b>31 December<br/>2008</b> |
|--|-----------------------------|-----------------------------|
| <b>Fixed assets</b>  | <b>1 961 766</b>            | <b>1 853 044</b>            |
| Intangible assets  | 45 046                      | 37 009                      |
| Company's value of the subordinated entities                   | 1 195 544                   | 1 176 883                   |
| Tangible assets  | 633 290                     | 561 740                     |
| Investment real estates  | 5 372                       | 5 042                       |
| Investments calculated with the property rights method         | 10 495                      | 10 239                      |
| Long-term financial assets available for sale                  | 2 818                       | 4 081                       |
| Long-term receivables from supplies and services               | 32                          | 75                          |
| Long-term other receivables                                    | 10 773                      | 11 545                      |
| Long-term loans granted  | 293                         |                             |
| Other long-term financial assets                               | 563                         | 1 220                       |
| Deferred income tax assets                                     | 55 169                      | 43 233                      |
| Long-term accruals   | 2 371                       | 1 977                       |
|  |                             |                             |
| <b>Current assets</b>  | <b>1 387 858</b>            | <b>1 364 952</b>            |
| Inventories  | 475 645                     | 510 407                     |
| Short-term receivables from supplies and services              | 394 678                     | 370 570                     |
| Short-term other receivables                                   | 80 166                      | 127 063                     |
| Short-term loans granted                                       | 54 926                      | 1 022                       |
| Current income tax receivables                                 | 1 425                       | 6 180                       |
| Short-term financial assets available for sale                 |                             |                             |
| Derivative financial instruments                               | 8 586                       | 155                         |
| Evaluation of equitable financial assets from financial result |                             | 1 570                       |
| Money assets and their equivalents                             | 143 665                     | 164 133                     |
| Short-term accruals  | 228 767                     | 183 852                     |
|  |                             |                             |
| <b>Fixed assets assigned to trading</b>                        | <b>1 511</b>                | <b>10 035</b>               |
| <b>Total assets</b>  | <b>3 351 135</b>            | <b>3 228 031</b>            |
|  |                             |                             |
| <b>Liabilities</b>   |                             |                             |
| <b>Equity</b>  | <b>2 340 598</b>            | <b>2 094 977</b>            |
| Share capital  | 74 333                      | 67 633                      |
| Own shares   | -2 979                      | -400                        |
| Supplementary capital  | 2 083 555                   | 1 848 742                   |
| Capital from updating evaluation                               | 8 307                       | -5 864                      |
| Other reserve capitals   | 36 841                      | 23 524                      |
| Exchange rate differences from conversion                      | 17 693                      | 20 750                      |
| Retained profit  | 63 668                      | 77 437                      |
| Minority shareholders capital                                  | 59 180                      | 63 155                      |
|  |                             |                             |
| <b>Long-term liabilities</b>                                   | <b>267 783</b>              | <b>197 609</b>              |
| Long-term credits and loans                                    | 206 079                     | 136 812                     |
| Long-term liabilities from supplies and services               | 1 975                       | 718                         |
| Long-term other liabilities                                    | 6 948                       | 4 091                       |
| Deferred income tax reserve                                    | 31 942                      | 36 301                      |
| Long-term pension reserve                                      | 14 783                      | 15 041                      |
| Other long-term reserves for liabilities                       | 4 439                       | 1 942                       |
| Long-term accruals   | 1 617                       | 2 704                       |

|  |                   |                   |
|--|-------------------|-------------------|
| <b>Short-term liabilities</b>                                  | <b>742 754</b>    | <b>935 445</b>    |
| Short-term credits and loans                                   | 298 371           | 323 855           |
| Short-term liabilities from supplies and services              | 218 468           | 323 671           |
| Short-term other liabilities                                   | 107 349           | 117 350           |
| Current income tax liabilities                                 | 10 541            |                   |
| Derivative financial instruments                               | 35 810            | 90 558            |
| Evaluation of equitable financial assets from financial result |                   |                   |
| Short-term pension reserve                                     | 6 151             | 3 962             |
| Other short-term reserves for liabilities                      | 35 529            | 32 097            |
| Short-term accruals  | 30 535            | 43 952            |
| <b>Total liabilities</b>                                       | <b>3 351 135</b>  | <b>3 228 031</b>  |
|  |                   |                   |
| <b>Book value</b>  | <b>2 340 598</b>  | <b>2 094 977</b>  |
| <b>Number of shares</b>  | <b>67 639 372</b> | <b>67 632 538</b> |
| <b>Book value per share(BVSP) in [PLN]</b>                     | <b>34.60</b>      | <b>30.98</b>      |

## II. Consolidated Separate Income Statement of the KOPEX S.A. Capital Group drawn up for the period from 01 January 2009 to 31 December 2009 in thousand zlotys

|  | from<br>01 January 2009<br>to<br>31 December 2009 | from<br>01 January 2008<br>to<br>31 December 2008 |
|--|---|---|
| <b>Net income from sale of products, goods and materials, incl:</b>                                      | <b>2 313 452</b>                                  | <b>1 982 644</b>                                  |
| <i>From related parties</i>  | 3   | 2 597   |
| Net income from sale of products   | 1 451 855   | 1 264 966   |
| Net income from sale of goods and materials  | 861 597   | 717 678   |
| <b>Costs of products, goods and materials sold, incl:</b>  | <b>1 954 554</b>                                  | <b>1 638 787</b>                                  |
| <i>From related parties</i>  |   | 2 178   |
| Manufacture cost of products sold  | 1 142 099   | 943 535   |
| Value of goods and materials sold  | 812 455   | 695 252   |
| <b>Gross profit (loss) on sales</b>  | <b>358 898</b>                                    | <b>343 857</b>                                    |
| <b>Other income</b>  | 32 990  | 43 224  |
| <b>Selling costs</b>   | 44 939  | 30 499  |
| <b>Overheads</b>   | 173 887   | 152 923   |
| <b>Other costs</b>   | 27 716  | 33 793  |
| <b>Operating profit (loss)</b>   | <b>145 346</b>                                    | <b>169 866</b>                                    |
| <b>Financial income, incl:</b>   | <b>42 598</b>                                     | <b>26 263</b>                                     |
| Dividends and share in profits   | 8   | 2   |
| Interest   | 13 278  | 10 666  |
| Income from investments sold   | 1 733   |   |
| Revaluation of investment  | 26 332  |   |
| Exchange rate differences  |   | 13 620  |
| Other  | 1 247   | 1 975   |
| <b>Financial costs, incl.</b>  | <b>86 071</b>                                     | <b>66 559</b>                                     |
| Interest   | 31 346  | 24 388  |
| Value of investment sold   | 1 264   |   |
| Revaluation of investment  |   | 38 234  |
| Exchange rate differences  | 45 556  |   |
| Other  | 7 905   | 3 937   |
| <b>Profit (loss) on sale of total number or part of shares of the affiliated entities</b>                | <b>436</b>  |   |
| <b>Company' value contribution of the affiliated entities</b>  |   |   |
| <b>Share surplus in the net equitable assets value of the entity being taken over, above fusion cost</b> | <b>7 427</b>                                      | <b>226</b>  |
| <b>Gross profit (loss), incl.</b>  | <b>109 736</b>                                    | <b>129 796</b>                                    |
| <b>Income tax, incl:</b>   | <b>12 726</b>                                     | <b>30 220</b>                                     |

|   |                   |                   |
|---|-------------------|-------------------|
| current   | 31 540            | 28 097            |
| deferred  | -18 814           | 2 123             |
|   |                   |                   |
| <b>Share in profit (loss) of the subordinated entities evaluated by ownership rights method</b> | -431              | 89                |
|   |                   |                   |
| <b>Net consolidated profit (loss)</b>   | <b>96 579</b>     | <b>99 665</b>     |
|   |                   |                   |
| <b>Profit (loss) of the minority shareholders</b>   | 9 355             | 14 251            |
| <b>Profit (loss) on a controlling company shareholder</b>                                       | <b>87 224</b>     | <b>85 414</b>     |
|   |                   |                   |
| <b>Average weighed number of common shares</b>  | <b>67 639 372</b> | <b>67 632 538</b> |
| <b>Profit (loss) per one common share [PLN]</b>   | <b>1.29</b>       | <b>1.26</b>       |

**III. Total Income Statement of the KOPEX S.A. Capital Group drawn up  
for the period from 01 January 2009 to 31 December 2009 in thousand zlotys**

|   | from<br>1 January 2009<br>to<br>30 Sept. 2009 | from<br>1 January 2008<br>to<br>31 Dec. 2008 |
|---|---|--|
| <b>Consolidated net profit (loss)</b>         | <b>96 579</b>                                 | <b>99 665</b>                                |
| <b>Other total incomes:</b>                   |   |  |
| Essential error correction                    | -4 727  | -3 195                                       |
| Exchange rate differences from conversion     | -1 405  | 11 805                                       |
| Financial assets available for sale           | -1  | -77  |
| Safeguarding cash flow                        | 14 095  | -49 675                                      |
| Changes in revaluation surplus                | 2 385   | -54  |
| Other incomes                                 | 1 447   | 771  |
| <b>All other total incomes after taxation</b> | <b>11 794</b>                                 | <b>-40 425</b>                               |
| <b>Total incomes:</b>                         | <b>108 373</b>                                | <b>59 240</b>                                |
| falling on minority shareholders              | 10 648  | 6 022  |
| falling on KOPEX S.A. shareholders            | 97 725  | 53 218                                       |

**III. Total Income Statement of the KOPEX S.A. Capital Group drawn up  
for the period from 01 January 2009 to 31 December 2009 in thousand zlotys**

|   | from<br>1 January 2009<br>to<br>30 Sept. 2009 | from<br>1 January 2008<br>to<br>31 Dec. 2008 |
|---|---|--|
| <b>Consolidated net profit (loss)</b>         | <b>96 579</b>                                 | <b>99 665</b>                                |
| <b>Other total incomes:</b>                   |   |  |
| Essential error correction                    | -4 727  | -3 195                                       |
| Exchange rate differences from conversion     | -1 405  | 11 805                                       |
| Financial assets available for sale           | -1  | -77  |
| Safeguarding cash flow                        | 14 095  | -49 675                                      |
| Changes in revaluation surplus                | 2 385   | -54  |
| Other incomes                                 | 1 447   | 771  |
| <b>All other total incomes after taxation</b> | <b>11 794</b>                                 | <b>-40 425</b>                               |
| <b>Total incomes:</b>                         | <b>108 373</b>                                | <b>59 240</b>                                |
| falling on minority shareholders              | 10 648  | 6 022  |
| falling on KOPEX S.A. shareholders            | 97 725  | 53 218                                       |



**V. Consolidated Statement on Cash Flow of the KOPEX S.A. Capital Group  
drawn up for the period from 1 January 2009 to 31 December 2009 in thousand zlotys**

|  | from<br>01 January 2009<br>to<br>31 December 2009 | from<br>01 January 2008<br>to<br>31 December 2008 |
|--|---|---|
| <b>CASH FLOW FROM OPERATING ACTIVITY</b>   |   |   |
| <b>Gross profit (loss)</b>   | 109 736   | 129 796   |
| <b>Corrections by:</b>   |   |   |
| Depreciation   | 71 722  | 61 093  |
| Deduction of the company's value or surplus of net equitable assets value of the entity being taken above fusion costs | -7 428  | -226  |
| (Profit) loss from exchange rates differences  | -4 081  | 20 484  |
| Interest and share in profits (dividends)  | 28 308  | 8 626   |
| (Profit) loss from investment activities   | 143   | -1 221  |
| Change in reserves   | 7 805   | 8 349   |
| Change in inventories  | 34 762  | -179 245  |
| Change in receivables from supplies, services and other receivables  | 20 724  | -54 732   |
| Change in short-term liabilities from supplies, services and other receivables   | -139 570  | 192 383   |
| Change in accruals   | -63 954   | -122 851  |
| Income tax paid  | -22 150   | -27 828   |
| Other corrections  | -2 044  | 18 128  |
| <b>Net cash flow from operating activity</b>   | <b>33 973</b>                                     | <b>52 756</b>                                     |
| <b>CASH FLOW FROM INVESTMENT ACTIVITY</b>  |   |   |
| Sale of intangible, legal and material fixed assets  | 5 752   | 2 137   |
| Sale of investments in real property and intangible assets   | 0   | 9 500   |
| Sale of financial assets   | 13 711  | 1 500   |
| Dividends and share in profits received  | 165   | 2   |
| Repayment of long-term loans granted   | 17  | 0   |
| Interest received  | 81  | 103   |
| Other investment receipts  | 15 706  | 33 160  |
| Acquisition of intangible, legal and material fixed assets   | -128 754  | -174 136  |
| Investments in real property and intangible assets   | -75   | -5 520  |
| Acquisition of financial assets  | -44 028   | -105 709  |
| Long-term loans granted  | -539  | 0   |
| Other investment expenses  | -65 892   | -22 018   |
| <b>Net cash flow from investment activity</b>  | <b>-203 856</b>                                   | <b>-260 981</b>                                   |

| <b>CASH FLOW FROM FINANCIAL ACTIVITY</b>                                   |                |                |
|--|----------------|----------------|
| Receipts from share issue, other capital instruments and capital surcharge | 157 450        | 560            |
| Credits and loans  | 283 310        | 457 073        |
| Issue of indebted securities   | 0              | 0              |
| Other financial receipts   | 23             | 1 417          |
| Acquisition of own shares  | -2 579         | -400           |
| Dividends and other payments for owners                                    | -3 474         | 0              |
| Other than payments for owners expenses from profit distribution           | -7             | -6 443         |
| Repayments of credits and loans  | -235 779       | -201 778       |
| Repurchase of indebted securities  | 0              | 0              |
| Expenses on other financial liabilities                                    | -13 258        | -6 626         |
| Payments of liabilities from financial leasing agreements                  | -960           | -2 550         |
| Interest paid  | -29 078        | -21 131        |
| Other financial expenses   | -4 796         | -1 050         |
| <b>Net cash flow from financial activity</b>                               | <b>150 852</b> | <b>219 072</b> |
|  |                |                |
|  |                |                |
| <b>TOTAL NET CASH FLOW</b>   | <b>-19 031</b> | <b>10 847</b>  |
|  |                |                |
| <b>Balance change in cash and other money assets, incl:</b>                | <b>-20 468</b> | <b>14 722</b>  |
| -change in cash and money assets from differences in exchange rates        | -1 437         | 3 875          |
| <b>Money assets at the beginning of period</b>                             | <b>164 133</b> | <b>149 411</b> |
| <b>Money assets at the end of period, incl:</b>                            | <b>143 665</b> | <b>164 133</b> |
| - of restricted possibility of commanding                                  | 1 029          | 14 633         |