

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### **Current Report No 148/2009**

Date: 13 August 2009

Issuer's shortened name: KOPEX SA

**Subject: Annex to a domestic agreement.**

Legal basis: Law on Offer; Art.56, Par.5 –information actualization.

### **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 13 August 2009 by Zabrzeńskie Zakłady Mechaniczne S.A. a signed Annex No.1 to the agreement dated 14 July 2009 and concluded with Jastrzębska Spółka Węglowa S.A. KWK Zofiówka (the Zofiówka Mine), based in Jastrzebie Zdrój. The Issuer informed about the agreement in question in the current report RB 139 dated 04 August 2009.

Subject of the agreement is renting three pieces of brand- new, complete, high powered longwall shearers, having an electronic haulage system, together with necessary equipment for JSW S.A. KWK Zofiówka .Net value of the agreement amounts to PLN 18,333,300.00.

By the terms of the Annex in question payment term has been prolonged and exchanged from: "30 days from receipt of the invoice", to "60 days from the date of closing a monthly settlement period. Invoices will be made not earlier than 30 days prior to the payment term." Besides, it was agreed by the terms of this Annex that the Contractor will not reckon rental for working days when coal is not produced in the Mine, i.e. 4 days in August and 4 days in September 2009 and also during the period of moving the shearers in question from one longwall to another, but not longer than 3 months. The Annex also says that the renting period will be prolonged by a number of the days free from reckoning rental, as above. Both a daily renting rate and other conditions of the agreement remain unchanged.