

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 101/2011

Date: 28 July 2011

Issuer's shortened name: KOPEX SA

Subject: **Domestic agreement of the Issuer's subsidiary**

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

#### **Contents of the report:**

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 28 July 2011 by Rybnicka Fabryka Maszyn RYFAMA SA with its registered seat in Rybnik (the Issuer's subsidiary) an agreement signed with Katowicki Holding Węglowy SA based in Katowice.

The Parties of the agreement dated 21 July 2011 are RYFAMA SA – Contractor and Katowicki Holding Węglowy SA based in Katowice – Orderer.

Subject of the agreement is „Supply of spare parts to RYBNIK 850 scraper conveyor“.

Value of the agreement: PLN 170,126.90 + VAT

Term of the agreement: 31.12.2012

Stipulated penalties: The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the gross value of the executive orders granted to the Contractor prior to the day of stipulated penalties for renouncing the agreement by the Orderer due to reasons caused by the Contractor. The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the gross value of the executive orders granted to the Contractor prior to the day of stipulated penalties for renouncing the agreement by the Contractor due to reasons caused by the Orderer. If the losses born in fact exceeds the stipulated penalties the Parties retain the right to claim additional compensation.

The criterion of recognising an agreement as a significant one is exceeding by it of 10% of bounds pertaining to the Issuer's equity capital (the Issuer's equity capital amounts to 1,344,750 thou PLN, in compliance with data included in the published report for Q1 2011) and fulfillment of the criteria set forth in Par.2 Cl.1 Item 44) and Par.2 Cl.2 of Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...). In the past 12 months the Issuer's subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 147,723 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 100/2011 dated 20.07.2011. 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 82/2010 dated 28.09.2010 that also includes information relating to the highest value agreement set

forth in Cl.9 Items from 1) to 7) of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information (...).

Legal basis for publishing: Cl.5 Par.1 Item 3 in relation with Cl.2 Par.2 and Cl.9 of the Minister of Finance Regulation dated 19 February 2009 on current and periodic information transmitted by issuers of shares and conditions of recognizing as equivalent the information required by legal regulations of a country that is not a member country (*Dz.U. z 2009, Nr 33 poz.259 ze zmianami*).