

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 104/2011

Date: 1 August 2011

Issuer's shortened name: KOPEX SA

Subject: **Significant 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 1 August 2011 by Zabrzeńskie Zakłady Mechaniczne SA with its registered seat in Zabrze (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the agreement dated 1 July 2011 are Zabrzeńskie Zakłady Mechaniczne SA – Contractor and Katowicki Holding Węglowy SA – Orderer.

Subject of the agreement is „rendition of repair and maintenance services of longwall shearers manufactured by ZZM SA and operated in KW SA, Bielszowice Coal Mine”.

Value of the agreement: PLN 380,000.00 + VAT

Term of the agreement: till 31.12.2011

Stipulated penalties (according to the Regulation of the Minister of Finance): The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the net value of the subject of the agreement in case of renouncing the agreement by any Party due to the reasons caused by the Contractor. The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the net value of the subject of the agreement in case of renouncing the agreement by the Contractor due to the reasons caused by the Orderer. The Orderer retain the right to claim additional compensation on general basis in the event of a loss in excess of stipulated penalties.

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 197,581 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 98/2011 dated 12.07.2011. 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 66/2010 dated 2.08.2010 that also includes information relating to the highest value agreement set

forth in CI.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: CI.5 Par.1 Item 3 in relation with CI.2 Par.2 and CI.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*).