

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 109/2011

Date: 19 August 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 19 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 8 August 2011 are Zabrzeńskie Zakłady Mechaniczne SA – Lessor and Katowicki Holding Węglowy SA – Lessee.

Subject of the agreement is „Lease of the KSW-460NZ longwall shearer for KW SA, Bolesław Śmiały Coal Mine in the period from 12.08.2011 to completion of exploitation of longwall 309 in seam 325/1 (but no longer than until 31.08.2011) together with full warranty and maintenance services during the whole lease term”.

Value of the agreement: PLN 134,200.00 + VAT

Term of the agreement: 12.08.2011 – 31.08.2011

Stipulated penalties: Each Party is obliged to pay stipulated penalties amounting to 10% of the gross value of the agreement in case of renouncing the agreement due to the reasons caused by that Party. Regardless of the stipulated penalties the Parties retain the right to claim additional compensation on the general legal basis up to the value of the losses born in fact but not higher than the value of the subject of the agreement.

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 158,292 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 108/2011 dated 18.08.2011. 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 89/2011 dated 4.07.2011 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*).