

(Translation from the Polish language)

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 119/2010**

Date: 30 December 2010

Issuer's shortened name: KOPEX S.A.

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

Legal basis: Law on Offer, Art. 56, Par.1 Item 2– current and periodic information

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

The Management Board of KOPEX SA with a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 30 December 2010 by Zabrzeńskie Zakłady Mechaniczne SA with a registered seat in Zabrze (the Issuer's subsidiary) three agreements signed with Kompania Węglowa SA with a registered seat in Katowice with a total net value of PLN 980,000.00

The Parties of the first agreement dated 2.11.2010 and the second agreement dated 26.11.2010 are Kompania Węglowa SA Chwałowice Coal Mine – the Orderer and Zabrzeńskie Zakłady Mechaniczne SA – the Contractor. The Parties of the third agreement dated 22.12.2010 are Kompania Węglowa SA – the Orderer and Zabrzeńskie Zakłady Mechaniczne SA – the Contractor.

The subject of the all agreements is supply of maintenance services of longwall shearers manufactured by Zabrzeńskie Zakłady Mechaniczne SA and operated in the Chwałowice Coal Mine (first and second agreement) and in the Bolesław Śmiały Coal Mine (third agreement).

Net value of the first agreement: PLN 200,000.00

Net value of the second and third agreement: PLN 380,000.00

Term of the all agreements: till 31.12.2010

Stipulated penalties: Each Party is obliged to pay stipulated penalty amounting to 10% of the gross value of the agreement in case of contract renouncement due to the reasons caused by that party. The Contractor is obliged to pay the Orderer stipulated penalty amounting to 10% of the gross agreement value in case of failure to perform an agreement or in event of default. The Parties retain the right to claim additional compensation on the general rules.

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 1,341,371 thou PLN, in compliance with data included in the published report for the third quart of 2010) 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 170,576 thou PLN (including this one). The Issuer informed about the

last agreement with this customer in the current report RB 116/2010 dated 28.12.2010. 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 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*).