

(Translation from the Polish language)

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 19/2011**

Date: 28 February 2010

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 a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 28 February 2011 by WAMAG SA with a registered seat in Wałbrzych (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the agreement dated 15 February 2011 are WAMAG SA – the Seller and Kompania Węglowa SA – the Buyer.

Subject of the agreement is supply of a brand new elliptical vibrating screen of PWE1-2, 2X5, 25 type to KW SA, Marcel Coal Mine.

Net value of the agreement: PLN 116,500.00

Term of the agreement: till 31.03.2011

Stipulated penalties: The Seller is obliged to pay the Buyer stipulated penalties amounting to 10% of the agreement value, in case of renouncing the agreement by one of the party due to the reasons caused by the Seller. The Buyer is obliged to pay the Seller a stipulated penalties amounting to 10% of the agreement value in case of renouncing the agreement by one of the party due to the reasons caused by the Buyer. Regardless of the stipulated penalties the Parties retain the right to claim on general legal basis up to the value of the losses borne in fact.

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 172.918 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 16/2011 dated 18.02.2011. 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 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*).