

(Translation from the Polish language)

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 79/2011**

Date: 20 June 2011

Issuer's shortened name: KOPEX SA

Subject: **Domestic agreements 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 20 June 2011 by Rybnicka Fabryka Maszyn RYFAMA SA with its registered seat in Rybnik (the Issuer's subsidiary) two agreements signed with Jastrzębska Spółka Węglowa SA based in Jastrzębie Zdrój.

The Parties of both agreements, the first dated 10 June 2011, the second dated 15 June 2011, are RYFAMA SA – Contractor and Jastrzębska Spółka Węglowa SA, Zakład Logistyki Materiałowej – Orderer.

Subject of the first agreement is „Supply of flight bars“.

Subject of the second agreement is „Supply of links“

Total net value of both agreements: PLN 370,852.00

Net value of the first agreement: PLN 167,250.00

Net value of the second agreement: PLN 203,602.00

Term of the first agreement: December 2011

Term of the second agreement: 31.07.2011

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 gross value of the unperformed part of the agreement in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor or in case of non-performing the agreement by the Contractor despite the expiration of the release date of the goods. The other conditions stick to the conditions commonly applied in the agreements of this kind.

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 258,569 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 75/2011 dated 15.06.2011. 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*).