

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 123/2011

Date: 5 September 2011

Issuer's shortened name: KOPEX SA

Subject: **Significant 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 5 September 2011 by Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. with its registered seat in Zabrze (the Issuer's indirect subsidiary) an agreement signed with Katowicki Holding Węglowy SA based in Katowice.

The Parties of the agreement dated 31 August 2011 are: Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. – Contractor and KHW SA, Murcki-Staszic Coal Mine – Orderer.

Subject of the agreement is „Lease of the KSW-1140EZ longwall shearer for longwall 2b-S in the seam 510 for KHW SA, Murcki-Staszic Coal Mine”.

Value of the agreement: PLN 6,330,000.00 + VAT

Term of the agreement: 600 days

Stipulated penalties (according to the Regulation of the Minister of Finance): Each Party is obliged to pay the other Party stipulated penalties amounting to 10% of the net value of the agreement in case of renouncing the agreement by any Party due to the reasons caused by that Party. If the stipulated penalties do not cover the losses born in fact the Parties may claim an additional compensation on the general legal 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 1,343,572 thou PLN, in compliance with data included in the published report for half-year of 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 292,819 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 122/2011 dated 2.09.2011. 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 117/2011 dated 25.08.2011 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*).