

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 56/2011

Date: 13 May 2011

Issuer's shortened name: KOPEX SA

Subject: **Domestic agreement of of the Issuer's indirect 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 13 May 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 11 May 2011 are Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. – Contractor and Katowicki Holding Węglowy SA, Murcki-Staszic Coal Mine – Orderer.

Subject of the agreement is lease of a brand new KSW-880EU/3,3kV longwall shearer equipped with water pump and water filters for KHW SA, Murcki-Staszic Coal Mine.

Net value of the agreement: PLN 4,694,760.00

Term of the agreement: 486 days

Stipulated penalties: The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the net value of the subject of the agreement in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor. The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the net value of the subject of the agreement in case of renouncing the agreement by the Contractor due to the reasons caused by the Orderer. The Parties retain the right to claim compensation on general legal basis if the value of the losses borne exceed the amount of the stipulated penalties.

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 1,346,459 thou PLN, in compliance with data included in the published annual report for 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 141,847 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 54/2011 dated 12.05.2011. 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 82/2010 dated

28.09.2010 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*).