

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 106/2011

Date: 9 August 2011

Issuer's shortened name: KOPEX SA

Subject: **A significant 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 its registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 8 August 2011 by KOPEX-Przedsiębiorstwo Budowy Szybów SA with its registered seat in Bytom (the Issuer's subsidiary) an agreement signed with Jastrzębska Spółka Węglowa SA, Budryk Coal Mine.

The Parties of the agreement dated 29 July 2011 are: KOPEX-Przedsiębiorstwo Budowy Szybów SA – Contractor and Jastrzębska Spółka Węglowa SA, Budryk Coal Mine.

Subject of the agreement is development of the technical documentation, supply of materials, execution of shaft works concerning repair of shaft II lining for JSW SA, Budryk Coal Mine.

The agreement was concluded following an open tender conducted in Jastrzębska Spółka Węglowa SA under the Public Procurement Law.

Value of the agreement: PLN 2,322,000.00 + 23% VAT

Term of the agreement: 3 months from the date of the agreement

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 gross value of the price stipulated in the agreement in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor. The Orderer retain the right to claim additional compensation on the basis of the Civil Code if the stipulated penalties do not cover the losses born in fact. Detailed conditions of the agreement stick to the conditions commonly applied to the agreement 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 283,199 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 94/2011 dated 7.07.2011. 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 66/2011 dated 31.05.2011 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*).