

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 109/2010

Date: 13 December 2010

Issuer's shortened name: KOPEX S.A.

Subject: **Domestic agreement of the Issuer's indirect subsidiary.**

Legal basis: Law on Offer, Art. 56, Par.1 Item 2– current and periodic 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 13 December 2010 by Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. with a registered seat in Zabrze (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA with a registered seat in Katowice.

The parties of the agreement dated 1 December 2010 are: ZZM – Maszyny Górnicze Sp. z o.o. - the Contractor and Kompania Węglowa SA - the Orderer.

The subject of the agreement is lease of the KSW-880EU/1KV longwall shearer, manufactured by Zabrzeńskie Zakłady Mechaniczne SA, with full guarantee and service support during the whole period of the lease for KW SA Bielszowice Coal Mine.

Value of the agreement: PLN 3,966,400.00 + 22% VAT

Term of the first agreement: 670 days

Stipulated penalties: Each Party is obliged to pay stipulated penalty amounting to 10% of the gross value of the agreement in case of contract renouncement due to the reasons caused by that party.

The Parties may claim an additional compensation (not higher then the value of the subject of the agreement) on the general rules in case when the stipulated penalties do not cover the losses born 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 quarter 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 159,878 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 108/2010 dated 9.12.2010. 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*).