

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 112/2010

Date: 20 December 2010

Issuer's shortened name: KOPEX S.A.

Subject: **Domestic agreement of the Issuer's 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 20 December 2010 by KOPEX – Przedsiębiorstwo Budowy Szybów SA with a registered seat in Bytom (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA with a registered seat in Katowice.

The parties of the agreement dated 02.12.2010 are: ZZM – Maszyny Górnicze Sp. z o.o. - the Contractor and Kompania Węglowa SA Chwałowice Coal Mine - the Orderer.

The subject of the agreement is construction of the mine headgear together with decommissioning of dispensable equipment in the shaft VII for Kompania Węglowa SA Chwałowice Coal Mine.

Net value of the agreement: PLN 3,174,000.00

Term of the agreement: 15 months from the date of the agreement

Stipulated penalties: In case of agreement renouncement, the liable Party is obliged to pay stipulated penalty amounting to 10% of the net value of the agreement. The Parties may claim an additional compensation 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 166,751 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 111/2010 dated 15.12.2010. 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*).