

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 113/2011

Date: 22 August 2011

Issuer's shortened name: KOPEX SA

Subject: **Significant domestic agreement.**

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 22 August 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 Jastrzębska Spółka Węglowa SA, Budryk Coal Mine.

The Parties of the agreement dated 12 August 2011 are: Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze Sp. z o.o. – Contractor and Jastrzębska Spółka Węglowa SA, Budryk Coal Mine – Orderer.

Subject of the agreement is „Lease of the KSW-880EU longwall shearer with electric haulage drive together with necessary equipment for JSW SA, Budryk Coal Mine”.

Value of the agreement: PLN 3,372,300.00 + VAT

Term of the agreement: 270 days

Stipulated penalties: The Contractor is obliged to pay the Orderer stipulated penalties amounting to 01% of the gross price stipulated in the agreement for each day of delay in performance of the subject of the agreement in relation to the deadline specified in the agreement. The Contractor is obliged to pay the Orderer stipulated penalties amounting to 01% of the gross price stipulated in the agreement for each day of delay in relation to the agreed date of removing the defect or failure in the subject of the agreement. The Contractor is obliged to pay the Orderer stipulated penalties amounting to 100% of the gross price specified in the agreement in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor. Regardless of the stipulated penalties the Parties retain the right to claim compensation on the general rules of the Civil Code. Detailed conditions of the agreement sticks to the conditions commonly applied to the agreements 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 285,887 thou PLN (including this one). The Issuer informed about the last agreement

with this customer in the current report RB 106/2011 dated 9.08.2011. 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*).