

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 126/2011

Date: 8 September 2011

Issuer's shortened name: KOPEX SA

Subject: **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 signing on 7 September 2011 by Zakład Elektroniki Górniczej ZEG SA with its registered seat in Tychy (the Issuer's indirect subsidiary) a consortium agreement with Katowicki Holding Węglowy SA based in Katowice.

The Parties of the agreement dated 2 September 2011 are: Katowicki Holding Węglowy SA - Orderer and as a Contractor the consortium of the following companies: ZEG SA – Consortium Leader, Zakład Projektowania i Doradztwa Technicznego GORPROJEKT Sp. Zz o.o. – Partner 1 and Ośrodek Pomiarów i Automatyki OPA-ROW Sp. z o.o. – Partner 2.

Subject of the agreement is „Construction of the surface methane degassing station at III shaft in KHW SA, Wujek Coal Mine, Area Śląsk”.

Total net value of the agreement: PLN 9,996,000.00

Value due to the Consortium Leader will be published by the Issuer after concluding the executory agreements.

Term of the agreement: 30 April 2012

Stipulated penalties: The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the gross value of the subject of the agreement in case of renouncing the agreement by the Orderer due to reasons caused by the Contractor. The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the gross value of the subject of the agreement in case of renouncing the agreement by the Contractor due to reasons caused by the Orderer. If the stipulated penalties do not cover the losses borne in fact the Parties retain the right to claim additional compensation up to the value of the losses borne in fact.

Other significant conditions of the agreement:

1. Any right of the contractor directly or indirectly associated with the agreement, including claims arising from the agreement and related incidental dues (a.o. interests) will not be transferred to third parties without the prior written consent of the orderer under pain of invalidity.
In the event of a breach of this obligation the contractor will be obliged to pay the orderer a stipulated penalty amounting to 25% of the gross value of the

agreement for any breach of the above mentioned obligation, which does not affect the right of the orderer to claim damages in excess of the stipulated penalties.

2. Payment for the performance of the agreement will be made solely by the orderer directly to the contractor and only by way of transfer to the contractor's account or in a cash directly to the contractor.

In the event of a breach of this obligation the contractor will be obliged to pay the orderer a stipulated penalty amounting to 25% of the gross value of the agreement for any breach of the above mentioned obligation, which does not affect the right of the orderer to claim damages in excess of the stipulated penalties.

3. The orderer shall be entitled to withhold sums owed to the contractor which are reasonably necessary to protect the orderer against loss or damage which may arise from negligence or unsatisfactory performance of work by the contractor.

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 302,815 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 123/2011 dated 5.09.2011. 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 117/2011 dated 25.08.2011 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*).