

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 13/2011

Date: 11 February 2010

Issuer's shortened name: KOPEX SA

Subject: **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 a registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 10 February 2011 by KOPEX Przedsiębiorstwo Budowy Szybów SA with a registered seat in Bytom (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the agreement dated 31 December 2010 are KOPEX Przedsiębiorstwo Budowy Szybów SA – the Contractor and Kompania Węglowa SA „Knurów-Szczygłowice“ Coal Mine.

Subject of the agreement is protection of the shaft II support at depths from 90 to 105 meters for KW SA „Knurów – Szczygłowice“ Coal Mine.

Net value of the agreement: PLN 114,271.20

Term of the agreement: till 30.06.2011

Stipulated penalties: The Contractor is obliged to pay the Orderer a stipulated penalties amounting to 10% of the net value of the agreement in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor . The Orderer is obliged to pay the Contractor a stipulated penalties amounting to 10% of the net value of the agreement in case of renouncing the agreement by the Contractor due to the reasons caused by the Orderer. Regardless of the stipulated penalties the Parties retain the right to claim on general legal basis up to the value of the losses borne 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 quart 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 176.827 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 12/2011 dated 8.02.2011. 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 66/2010 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*).