

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No. 21/ 2011

Date : 02 March 2011

Issuer's shortened name : KOPEX S.A.

Subject: **Domestic agreement of the subsidiary**

Legal basis : Law on Offer , Art. 56, Par1 Item 2 – current and cyclic information.

#### **Contents of the report:**

The Management of Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today the Board has become aware of receiving two agreements by WAMAG S.A. based in Wałbrzych (the Issuer's subsidiary).

WAMAG S.A. – Seller- and Kompania Węglowa S.A.- Buyer- are parties to both agreements dated 04 February 2011.

Subject of the first agreement is supply of spare parts for winding gears for the Sośnica –Makoszowy Coal Mine (CW Zachód), in 2011.

Net value of the agreement amounts to 425,000.00 PLN.

Subject of the second agreement is supply of spare parts for winding gears for the Knurów - Szczygłowice Coal Mine (CW Zachód) , in 2011.

Net value of the agreement amounts to 19,540.00 PLN.

Term of both agreements is to 31 December 2011.

Stipulated penalties for both agreements:

The Seller is obliged to pay the Buyer stipulated penalties amounting to 10% of the net value of the non-executed part of the agreement, if the Buyer renounces the agreement due to the reasons caused by the Seller.

The Seller is obliged to pay the Buyer stipulated penalties amounting to 10% of the net value of the goods included in the non-executed part of the agreement, if the Buyer renounces the agreement due to the reasons caused by the Seller.

The Buyer is obliged to pay the Seller stipulated penalties amounting to 10% of the net value of the non-executed part of the agreement, if the Seller renounces the agreement due to the reasons caused by the Buyer.

The Buyer is obliged to pay the Seller stipulated penalties amounting to 10% of the net value of the goods included in the non-executed part of the agreement, if the Seller renounces the agreement due to the reasons caused by the Buyer.

Irrespective of the stipulated penalties, the Parties may claim on the basis of the Civil Code

The criterion of recognising this 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 1,346,518 thou PLN, in compliance with published periodic report for Q42010) and fulfillment of the criteria set forth in Cl.2 Par.1. Item 44) and 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 173,363 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 119/2010 dated 30 December 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 02 August 2010 that also includes information relating to the highest value agreement set forth in Cl. 9 Items 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 Item3 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 which is not a member country (*Dz. U. z 2009, Nr 33, poz. 259 ze zm.*).