

(Translation from the Polish language)

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 62/2011**

Date: 25 May 2011

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 its registered seat in Katowice (the Issuer) informs that today has been aware of receiving on 25 May 2011 by Rybnicka Fabryka Maszyn RYFAMA SA with its registered seat in Rybnik (the Issuer's subsidiary) an agreement signed with Katowicki Holding Węglowy SA based in Katowice.

The Parties of the agreement dated 23 May 2011 are Rybnicka Fabryka Maszyn RYFAMA SA – Contractor and Katowicki Holding Węglowy SA, Mysłowice–Wesoła Coal Mine, Wieczorek Coal Mine, Murcki–Staszic Coal Mine, Wujek Coal Mine – Orderer.

Subject of the agreement is supply of spare parts to Skat-180 conveyors.

Net value of the agreement: up to PLN 1,352,738.59 – executed on the basis of the Orderer's orders

Term of the agreement: till 31.12.2012

Stipulated penalties: The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the gross value of the total amount of the executed orders awarded to the Contractor, prior to the day of charging a penalty for renouncing the agreement by the Orderer due to the reasons caused by the Contractor. The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the gross value of the total amount of the executed orders awarded to the Contractor, prior to the day of charging a penalty for renouncing the agreement by the Contractor due to the reasons caused by the Orderer. In the event of a loss in excess of stipulated penalties, the Parties may claim additional compensation.

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 141,197 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 59/2011 dated 18.05.2011. 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 82/2010 dated 28.09.2010 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*).