

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 66/2011

Date: 31 May 2011

Issuer's shortened name: KOPEX SA

Subject: **Significant domestic agreement concluded with Jastrzębska Spółka Węglowa SA**

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 received an agreement signed with Jastrzębska Spółka Węglowa SA with its registered seat in Jastrzębie Zdrój. The agreement was concluded following an open tender conducted in Jastrzębska Spółka Węglowa SA under the Act of 29 January 2004 Public Procurement Law.

The Parties of the agreement dated 27 May 2011 are KOPEX SA – Contractor and Jastrzębska Spółka Węglowa SA, Borynia-Zofiówka Coal Mine, Area Zofiówka – Orderer.

Subject of the agreement is supply of brand new powered longwall system together with necessary equipment for JSW SA, Borynia-Zofiówka Coal Mine, Area Zofiówka including:

- a) 140 units of line support, 10 units of face end shields and 2 units of crossing shield support,
- b) scraper conveyor with crusher,
- c) small-size longwall cooler units,
- d) powered wall base system,
- e) air coolers,
- f) electrical equipment,
- g) necessary additional equipment
as well as
- h) lease of a brand new longwall shearer together with crusher.

Total value of the agreement: gross: PLN 122,262,000.00; net: PLN 99,400,000.00

Term of the agreement:

- supply of longwall shearer: up to 4 months from the date of the agreement;
- term of the lease: 44 months from the date of the positive, protocol approval of the complete shearer at the bottom of the mine by the representatives of the Orderer and the Contractor,
- protocol approval of the subject of the lease at the bottom of the mine will occur no later than 4 weeks from the date of supply of a complete lease subject to the Orderer,
- supply of other equipment: up to 5 months from the date of the agreement.

Stipulated penalties: The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the gross price determined 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 additional compensation on the general basis of the Civil Code.

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 255,672 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 60/2011 dated 18.04.2011. The highest value agreement from among all the agreements signed in the past 12 months is the agreement the Issuer informed about in this current report 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*).