

(Translation from the Polish language)

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 82/2011**

Date: 28 June 2010

Issuer's shortened name: KOPEX SA

Subject: **Domestic agreements of the Issuer's indirect 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 27 June 2011 by Zakład Elektroniki Górniczej ZEG SA with its registered seat in Tychy (the Issuer's indirect subsidiary) two agreements signed with Kompania Węglowa SA based in Katowice.

The Parties of the first agreement dated 6 June 2011 are: ZEG SA - Seller and Kompania Węglowa SA – Buyer.

Subject of the first agreement is „Supply of explosion-proof starters and stop switches for branches of Kompania Węglowa SA within 2011“.

Net value of the first agreement: PLN 180,000.00

Term of the first agreement: till 31.12.2011

Stipulated penalties (the first agreement): The Seller is obliged to pay the Buyer stipulated penalties amounting to 10% of the gross value of the unperformed part of the agreement in case of renouncing the agreement by one of the Party due to reasons caused by the Seller and amounting to 10% of the contractual gross value of the subject of the order, which each time will be determined in the order, in case of renouncing the order by one of the Party due to the reasons caused by the Seller. The Buyer is obliged to pay the Seller stipulated penalties amounting to 10% of the contractual gross value of the subject of the order, which each time will be determined in the order, in case of renouncing the order by the Seller due to the reasons caused by the Buyer. If the stipulated penalties do not cover the loss, the Parties retain the right to claim an additional compensation on the general rules of the Civil Code.

The Parties of the second agreement dated 13 June 2011 are: ZEG SA - Contractor and Kompania Węglowa SA – Orderer.

Subject of the second agreement is „Supply of relays and electrical and electronic securities for Kompania Węglowa SA, Bileszowice Coal Mine within 2011“.

Net value of the second agreement: PLN 118,260.00

Term of the second agreement: till 31.12.2011

Stipulated penalties (the second agreement): The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the net value of the unperformed part of the agreement in case of renouncing the agreement by one of the Party due to reasons caused by the Contractor and amounting to 10% of the contractual net value of the subject of the order, which each time will be determined in the order, in case of renouncing the order by one of the Party due to the reasons caused by the Contractor. The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the contractual net value of the subject of the order, which each time will be determined in the order, in case of renouncing the order by the Contractor due to the reasons caused by the Orderer. If the stipulated penalties do not cover the loss, the Parties retain the right to claim an additional compensation on the general rules 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 187,186 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 78/2011 dated 20.06.2011. 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*).