

(Translation from the Polish language)

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 91/2010**

Date: 20 October 2010

Issuer's shortened name: KOPEX S.A.

Subject: **Domestic agreement of the Issuer's subsidiary.**

Legal basis: Law on Offer, Art. 56, Par.1 Item 2– current and periodic 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 20 October 2010 by Rybnicka Fabryka Maszyn RYFAMA SA with a registered seat in Rybnik (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA with a registered seat in Katowice.

The Parties of the agreement dated 10 September 2010 are Rybnicka Fabryka Maszyn RYFAMA SA – the Contractor and Kompania Węglowa SA – the Orderer.

The subject of the agreement is supply of scrapers to scraper conveyors for branches of Kompania Węglowa SA in 2010.

Net value of the agreement: PLN 108.250,00

Term of the agreements: till 31.12.2010

#### **Stipulated penalties:**

The Contractor is obliged to pay the Orderer 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 the reason caused by the Contractor. The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the net value of the goods determined in each order in case of renouncing the agreement by the Contractor due to the reason caused by the Orderer.

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 1,334,388 thou PLN, in compliance with data included in the published semi-annual report for 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 142.480 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 90/2010 dated 19.10.2010. 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 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*).