

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 94/2010

Date: 28 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 28 October 2010 by Zabrzeńskie Zakłady Mechaniczne SA with a registered seat in Zabrze (the Issuer's subsidiary) an agreement signed with Katowicki Holding Węglowy SA with a registered seat in Katowice.

The Parties of the agreement dated 9.09.2010 are Zabrzeńskie Zakłady Mechaniczne SA – the Lessor and Katowicki Holding Węglowy SA Wieczorek Coal Mine – the Lessee.

The subject of the agreement is lease of KSW-460NE longwall longwall shearer for KHW SA Wieczorek Coal Mine.

Value of the agreement: PLN 755.475,00 + 22% VAT

Term of the agreements: 105 days

Stipulated penalties:

The Lessor is obliged to pay the Lessee stipulated penalties amounting to 10% of the agreement value in case of renouncing the agreement by the Lessee due to the reasons caused by the Lessor. The Lessee is obliged to pay the Lessor stipulated penalties amounting to 10% of the agreement value in case of renouncing the agreement by the Lessor due to the reasons caused by the Lessee. The Parties may claim on general basis of the Civil Code in excess of stipulated penalties.

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 160.394 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 92/2010 dated 21.10.2010. 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 176/2009 dated 13.11.2009 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*).