

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 96/2011

Date: 11 July 2010

Issuer's shortened name: KOPEX SA

Subject: **Court decision concerning the merger of KOPEX SA with KOPEX Equity Sp. z o.o.**

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 (the Issuer) informs that today received a copy of decision of District Court Katowice-Wschód dated 1 July 2011 on entry in the National Court Register, the merger of „acquiring company“ with the company KOPEX Equity Sp. z o.o. based in Katowice (the company being acquired) with the date 1 July 2011 (the merger date).

The companies merged in the manner prescribed in art. 492 par. 1 Item 1 of the Commercial Companies Code, i.e. by way of transferring the entire assets of the company being acquired onto the acquiring company. Furthermore, due to the fact that KOPEX SA, as the acquired company, owns 100% of KOPEX Equity Sp. z o.o., the company being acquired, the companies merged in the manner prescribed in art. 515 par.1 and art. 516 par. 6 of the Commercial Companies Code:

- 1) without increasing the share capital of the acquiring company;
- 2) using the so-called simplified procedure, i.e. without issuance of shares of the company being acquired to the shareholder of the acquiring company, without the statement of the management board of the merging companies, the merger plan is not subject to audit by the chartered accountant.

Merging entities and basic characteristics of their activity:

- 1) KOPEX SA (joint stock company) with its registered seat in Katowice, 40-172, Grabowa 1, entered to the Register of Entrepreneurs held by the District Court for Katowice-Wschód, the 8th Commercial Division of the National Court Register under no. KRS 0000026782, tax identification (NIP) no. 634-012-68-49, statistical (REGON) no. 271981166, with the share capital paid up in full in the amount of PLN 74,332,538.00 (the Acquiring Company),

Subject of activity:

- a) The capabilities cover the whole investment process in the mining industry:
 - feasibility study of the project,
 - supervising works regarding geological surveys of the mining area and assessment of reserves,
 - elaborating deposit mining technology,
 - designing mining plants,
 - manufacture, supply and assembly of machines, equipment and technological systems,
 - construction, development, modernization, mining execution and liquidation of mines,

- staff training and engineering support during project execution.
- b) Rendering of specialised mining services, including, shafts sinking, underground constructing, tunneling, as well as rendering of design and know-how services.
- c) Supply of machinery and technologies for open-pit mines.
- d) Trading in electricity.
- e) Export of energy resources, especially: steam coal and coking coal.

and

- 2) Kopex Equity Sp. z o.o. (limited liability company) with its registered seat in Katowice, 40-315, Roździeńskiego 208, , entered to the Register of Entrepreneurs held by the District Court for Katowice-Wschód, the 8th Commercial Division of the National Court Register under no. KRS 0000048171, tax identification (NIP) no. 954-197-60-94, statistical (REGON) no. 273489096, with the share capital paid up in full in the amount of PLN 11,980,000.00 (the company being acquired)

Subject of activity:

Financial leasing, other monetary and financial intermediation, renting of machinery, equipment, means of transport and properties, auxiliary financial activity, sale of machinery, equipment and vehicles.

Legal basis:

Cl.5, Par.1, Subpar.13 and Cl.19 Par.1 of the Regulation of the Minister of Finance of 19 February 2009 on current and periodic information provided by issuers of securities and the conditions of considering information required by the legislation of non-EU member-states as equivalent (Journal of Laws of 2009, No 33, Item 259, as amended).