

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 105/2012

Date: 18 July 2012

Issuer's shortened name: KOPEX SA

Subject: **Significant agreement of the Issuer's subsidiary**

Legal basis: Law on Offer, Art. 56, Par.1 Item 2 – current and cyclic information

Contents of the report:

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) informs that has been aware of receiving on 17 July 2012 by Fabryka Maszyn i Urządzeń TAGOR SA with its registered seat in Tarnowskie Góry (the Issuer's indirect subsidiary) an agreement dated 17.07.2012 and signed with Katowicki Holding Węglowy SA based in Katowice.

The Parties of the aforementioned agreement are: Fabryka Maszyn i Urządzeń TAGOR SA - Contractor and KHW SA, Murcki – Staszic Coal Mine – Orderer.

The subject of the agreement is „Supply of 100 units of powered roof support designed for longwalls extracted by system with hydraulic back filling for KHW SA, Murcki – Staszic Coal Mine”.

Value of the agreement: PLN 30,750,000.60 + VAT

Term of the agreement: beginning of supplies – 6 weeks from the date of the agreement, completion of supplies – up to 12 weeks from the date of the agreement

Stipulated penalties (according to the Regulation of the Minister of Finance):

1. The Contractor is obliged to pay the Orderer stipulated penalties:
 - a) amounting to 0.2% of the net agreement value for each day of delay in case of delay in supply of the subject of the agreement,
 - b) amounting 10% of the gross agreement value in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor.
2. The Orderer is obliged to pay the Contractor stipulated penalties:
 - a) amounting to 0.2% of the net agreement value for each day of delay in case of delay in reception of the subject of the agreement,
 - b) amounting 10% of the gross agreement value in case of renouncing the agreement by the Contractor due to the reasons caused by the Orderer.
3. The Orderer and the Contractor retain the right to claim compensation on the Civil code basis in the excess of the stipulated penalties.
4. In case of non-performance of the agreement, the Orderer is entitled to terminate the agreement within the period specified in the declaration of termination which is no longer than 14 days.

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 1,317,368 thou PLN, in compliance with data included in the published

report for the first quarter of 2012) 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 260,557 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 100/2012 dated 12.07.2012. 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 RB117/2011 dated 25.08.2011 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*).