

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 118/2012

Date: 14 September 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 today has been aware of receiving by ZZM SA with its registered seat in Zabrze (the Issuer's subsidiary) a significant agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the aforementioned agreement dated 5.09.2012 are: Consortium ZZM SA (Consortium Proxy) and ZZM – Maszyny Górnicze sp. z o.o. based in Zabrze (the Issuer's indirect subsidiary, Consortium Participant) – Contractor and Kompania Węglowa SA, Piast Coal Mine – Oderer.

The subject of the agreement is „Provision of maintenance services of longwall shearers produced by ZZM SA and operated in the form of a lease in Kompania Węglowa SA, Piast Coal Mine”.

Value of the agreement: PLN 600,000.00 + VAT

Term of the agreement: till 31.12.2012

Stipulated penalties:

The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the net value of the service in case of renouncing the execution of service specified in the service call due to the reasons caused by the Contractor.

The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the net value of the service in case of renouncing the execution of service specified in the service call due to the reasons caused by the Orderer.

Regardless of the stipulated penalties the Parties retain the right to claim damages on the Civil code basis.

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 1,343,658 thou PLN, in compliance with data included in the published report for the first half 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 273,214 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB117/2012 dated 5.09.2012. 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 RB5/2012 dated 12.01.2012 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*).