

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 146/2012

Date: 20 December 2012

Issuer's shortened name: KOPEX SA

Subject: **Significant framework agreement concluded by consortium of the Issuer's subsidiary Kopex Machinery SA and ZZM – Maszyny Górnicze sp. z o.o. with Kompania Węglowa SA**

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 – Maszyny Górnicze sp. z o.o. with its registered seat in Zabrze (the Issuer's indirect subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the aforementioned agreement dated 16.11.2012 are: consortium of the following companies – Kopex Machinery SA based in Zabrze (Consortium Proxy) and ZZM – Maszyny Górnicze sp. z o.o. based in Zabrze (Consortium Participant) – Contractor and Kompania Węglowa SA – Orderer.

The subject of the agreement is „After-sales service assistance of longwall shearers produced by Zabrzeńskie Zakłady Mechaniczne SA (currently Kopex Machinery SA) and operated in the form of lease in branches of Kompania Węglowa within 2013”.

Value of the agreement: PLN 9,665,000.00 + VAT

Term of the agreement: 2013

Stipulated penalties:

Provisions for stipulated penalties will be determined in the executory agreements to the above mentioned frame agreement.

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 1,350,333 thou PLN, in compliance with data included in the published report for the thrid 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 259,186 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB145/2012 dated 20.12.2012. 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 RB 5/2012 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*).