

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 152/2011

Date: 14 October 2011

Issuer's shortened name: KOPEX SA

Subject: **Significant consortium agreement of the companies belonging to KOPEX SA Capital Group.**

Legal basis: Law on Offer, Art. 56, Par.1 Item 1 – 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 on 13 October 2011 by Zabrzeńskie Zakłady Mechaniczne SA with its registered seat in Zabrze (the Issuer's subsidiary) an agreement signed with Jastrzębska Spółka Węglowa SA.

The Parties of the agreement dated 30.09.2011 are: consortium of the following companies: Zabrzeńskie Zakłady Mechaniczne SA (Consortium Proxy), ZZM – Maszyny Górnicze Sp. z o.o. (Consortium Participant) and KOPEX SA (Consortium Participant) – Contractor and Jastrzębska Spółka Węglowa SA, Jas-Mos Coal Mine – Orderer.

Subject of the agreement is „Lease of the 46NE longwall shearer for 122 days by JSW SA, Jas-Mos Coal Mine”.

Value of the agreement: PLN 1,100,4400.00 + VAT

Term of the agreement: 122 days

Stipulated penalties: The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the the maximum (net) value of the agreement. Payment of the stipulated penalties does not exclude possible mutual compensation claims on the general rules of the Civil code. Detailed conditions of the agreement sticks to the conditions commonly applied to the agreements of this kind.

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 1,343,572 thou PLN, in compliance with data included in the published report for half-year of 2011) 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 298,309 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 144/2011 dated 30.09.2011. 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 66/2011 dated 31.05.2011 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*).