

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 156/2011

Date: 17 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 17 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 26.08.2011 are: consortium of the following companies: Zabrzeńskie Zakłady Mechaniczne SA (Consortium Proxy), ZZM – Maszyny Górnicze Sp. z o.o. (Consortium Participant) – Lessor and Jastrzębska Spółka Węglowa SA, Budryk Coal Mine – Lessee.

Subject of the agreement is „Lease of the KSW-880EU/1kV longwall shearer with electric haulage drive for JSW SA, Budryk Coal Mine”.

Value of the agreement: PLN 847,000.00 + VAT

Term of the agreement: 90 days

Stipulated penalties: The Lessor is obliged to pay the Lessee stipulated penalties amounting to 0.1% of the lease value for each day of delay in case of late hand-over of the subject of the lease. The Lessor is also obliged to pay the Lessee stipulated penalties amounting to 10% of the net value of the subject of the agreement in case of renouncing the agreement due to the reasons caused by the Lessor. The Lessee retain the right to claim additional compensation on the general rules of the Civil code.

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 299,156 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 152/2011 dated 14.10.2011. 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*).