

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 18/2013

Date: 26 February 2013

Issuer's shortened name: KOPEX SA

Subject: **Significant agreement concluded by the Issuer's subsidiary Kopex Machinery SA 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 Kopex Machinery 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 6.02.2013 are: Kopex Machinery SA – Contractor and Kompania Węglowa SA – Orderer.

The subject of the agreement is „Provision of maintenance services of scraper conveyors produced by RYFAMA for the Branches of Kompania Węglowa SA within 2013”.

Value of the agreement: PLN 994,322.00 + VAT

Term of the agreement: till 31.12.2013

Stipulated penalties:

1. The Orderer may charge the Contractor stipulated penalties:
 - a) in case of renouncing the execution of service specified in the service call by the Contractor, due to the reasons caused by the Contractor amounting to 10% of the net value of the service,
 - b) in case of delay in removing the technical problem due to the reasons caused by the Contractor amounting to the net work-hours rate, for each hour of delay beyond the time set out in the agreement,
 - c) in case of delay in delivery of parts due to the reasons caused by the Contractor, amounting to 0.1% net value of the ordered elements, for each hour of delay beyond the time set out in the agreement.
2. The Contractor may charge the Orderer stipulated penalties:
 - a) in case of renouncing the execution of service specified in the service call by the Orderer, due to the reasons caused by the Orderer amounting to 10% of the net value of the service.
3. Regardless of the stipulated penalties the Parties retain the right to claim damages on the general 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 1,350,333 thou PLN, in compliance with data included in the published

report for Q3 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 149,332 thou PLN (including this one). 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 reports RB82/2012 dated 25.05.2012 and RB137/2012 dated 28.11.2012 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*).