

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 187/2011

Date: 15 December 2011

Issuer's shortened name: KOPEX SA

Subject: **Significant agreement of the Issuer's subsidiary**

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 15 December 2011 by TAGOR SA with its registered seat in Tarnowskie Góry (the Issuer's indirect subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice and dated 25.11.2011.

The Parties of the agreement are: TAGOR SA – Contractor and Kompania Węglowa SA – Orderer.

Subject of the agreement is „Supply of the steel and front canopies to the branches of KW SA in 2012”.

Value of the agreement: PLN 852,155.00 + VAT

Term of the agreement: till 31.03.2013

Stipulated penalties (according to the Regulation of the Minister of Finance): The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the net value of the non-performed part of the agreement in case of renouncing the agreement by the Orderer 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 good each time stipulated in the non-performed order in case of renouncing the agreement by the Contractor due to the reasons caused by the Orderer. Regardless of the stipulated penalties the Orderer retain the right to claim additional compensation on the general legal basis up to the value of the losses borne in fact.

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 1,358,213 thou PLN, in compliance with data included in the published report for the third quarter 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 174,203 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB186/2011 dated 13.12.2011. 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 155/2011 dated 17.10.2011 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*).