

FINANCIAL SUPERVISORY COMMISSION
Current report No 3/2012

Date : 10 January 2012

Issuer's shortened name : KOPEX S.A.

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

Legal basis : Law on Offer , Art. 56, Par 1 point 2 – current and cyclic information.

Contents of the report:

The Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 10 January 2012 by TAGOR SA with a registered seat in Tarnowskie Góry (the Issuer's subsidiary), the agreement signed with Jastrzębska Spółka Węglowa with a registered seat in Jastrzębie Zdrój. The parties of the aforementioned agreement dated 3 January 2012 are TAGOR SA – as the Supplier and Jastrzębska Spółka Węglowa Material Logistics Plant - as the Purchaser.

The subject of the agreement is "Execution of 170 roof bars type SCGB-TGS-5-I-1600, 190 toggle wedges of the roof bar type SCGB-L-1600, 420 pieces of bolt assemblies of the roof bar type SCGB-L-1600, 40 bolts to the roof bars type SCGB-L-1600".

The value of the agreement amounts to 407,340.00 PLN net

Term of the agreement : till 31 December 2012

Stipulated penalties foreseen in the agreement.

In case of renouncing the agreement, the Supplier is obliged to pay stipulated penalties for termination of the agreement due to the reasons attributable to the Supplier amounting to 10% of the gross value of the unrealized portion of the agreement.

In case of renouncing the agreement by the Purchaser due to the reasons attributable to the Supplier, the Purchaser will be entitled to the compensation amounting to 10% of the gross value of the unrealized portion of the agreement. The Purchaser reserves the right to claim damages exceeding the value of the aforementioned stipulated penalties if the stipulated penalties do not cover the suffered detriment.

The criterion of recognizing 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.1.44 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 and the Issuer's subsidiaries signed with this customer the agreements amounting altogether to 271 073 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 189/2011 dated 20 December 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 May 2011 that also contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of the Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...) Legal basis of transmission : Par 5 Cl.1.3 in relation with Par.2 Cl.2 and Par.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 which is not a member country (Dz.U. dated 2009, No33, pos. 259 with amendments).