

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 34/2013

Date: 11 April 2013

Issuer's shortened name: KOPEX SA

Subject: Significant agreement concluded by the Issuer's subsidiaries - Kopex Machinery SA and ZZM – MG sp. z o.o.

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 on 20.03.2013 has been aware of a significant agreement concluded by the Issuer's subsidiaries.

The Parties of the aforementioned agreement dated 28.02.2013 are: KOPEX MACHINERY SA based in Zabrze – the Seller – and Zabrzeńskie Zakłady Mechaniczne – Maszyny Górnicze sp. z o.o. based in Zabrze – the Buyer .

The subject of the agreement dated 28.02.2013 is sale of units constituting the longwall shearer KSW-880EU suitable for use in chainless haulage system together with service of shearer installation in a designated excavation in KHW SA Wieczorek Coal Mine and the provision of maintenance services at the site of operation.

The value of the agreement: 5.337.500,00 PLN net + VAT

Delivery time: 30 days upon conclusion of the agreement

Stipulated penalties:

1. The Seller agrees to pay the Buyer the following penalties:
 - a) amounting to 10% of the gross agreement value if either party withdraws from the agreement due to circumstances for which the Seller is responsible,
 - b) amounting to 0.2% of the gross value of the agreement for each day of delay in delivery of the contract subject, but not more than 10% of the gross value of the agreement.
2. The Buyer agrees to pay the Seller the following penalties:
 - a) amounting to 10% of the gross agreement value if either party withdraws from the agreement due to circumstances for which the Buyer is responsible,
 - b) amounting to 0.2% of the gross value of the agreement for each day of delay in the receipt of the contract subject, but not more than 10% of the gross value of the agreement.
3. The Parties may claim on general terms of the Civil Code the damages in excess of stipulated contractual penalties to the gross value of the agreement or other value agreed between the parties.

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 1,384,877 thou PLN, in compliance with data included in the published report for Q4 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 agreements amounting altogether to 203.629 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 report RB Nr 27/2013 dated 20.03.2013.

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*).