

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 36/2012

Date: 17 February 2012

Issuer's shortened name: KOPEX SA

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

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 on 17.02.2012 by Zabrzeńskie Zakłady Mechaniczne SA with its registered seat in Zabrze (the Issuer's subsidiary) an agreement signed with Jastrzębska Spółka Węglowa SA based in Jastrzębie Zdrój.

The Parties of the aforementioned agreement dated 23.01.2012 are: Zabrzeńskie Zakłady Mechaniczne SA - Lessor and Jastrzębska Spółka Węglowa SA – Lessee.

The subject of the agreement is „Lease of the high-efficient longwall shearer”.

Value of the agreement: PLN 762,300.00 + VAT

Term of the agreement: 121 days

Stipulated penalties:

The Lessor is obliged to pay the Lessee stipulated penalties amounting to 0,1% of the net value of the lease, referred to in the agreement, for each day of delay in removal of defects or failures found upon receipt of the agreement or during the warranty period.

The Lessee shall have the right to claim additional compensation on the general basis in the excess of the stipulated penalties but not higher than the net value of the rent of the lease.

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 256,197 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 32/2012 dated 9.02.2012. 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*).