

FINANCIAL SUPERVISORY COMMISSION

Current report No 39/2012

Date : 05 March 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 5 March 2012 by Rybnicka Fabryka Maszyn RYFAMA SA with a registered seat in Rybnik (the Issuer's subsidiary), the agreement signed with Jastrzębska Spółka Węglowa S.A. with a registered seat in Jastrzębie – Zdrój. The parties of the aforementioned agreement dated 10 February 2012 are Rybnicka Fabryka Maszyn RYFAMA SA – as the Executor and Jastrzębska Spółka Węglowa S.A. KWK JAS-MOS as the Orderer.

The subject of the agreement is “Providing maintenance services and supply of spare parts and components for the mining machinery and equipment produced by Rybnicka Fabryka Maszyn RYFAMA S.A.

The value of the agreement amounts to 800,000.00 net + VAT

Term of the agreement : till 31 December 2012

Stipulated penalties foreseen in the agreement

The Executor is obliged to pay the Orderer stipulated penalties amounting to 10% of the value of the agreement in case of renouncing the agreement by the Orderer due to the reasons attributable to the Executor.

The Orderer shall be entitled to seek damages exceeding the stipulated penalties foreseen by the agreement on general rules.

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 1.370.163 thou. PLN, in compliance with data included in the published report for the fourth 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 265 706 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 38/2012 dated 1 March 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 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).