

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 43/2012

Date: 12 March 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 12.03.2012 by Rybnicka Fabryka Maszyn RYFAMA SA with its registered seat in Rybnik (the Issuer's subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the aforementioned agreement dated 15.02.2102 are: Rybnicka Fabryka Maszyn RYFAMA SA - Contractor and Kompania Węglowa SA – Orderer.

The subject of the agreement is „Supply of flight bars for the Branches of Kompania Węglowa in the years 2012-2013”.

Value of the agreement: PLN 1,792,286.02 + VAT

Term of the agreement: till 30.06.2013

Stipulated penalties:

In case of non-performance or improper performance of the agreement:

The Contractor is obliged to pay the Orderer stipulated penalties amounting to:

- 10% of the net value of the unrealized 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 contractual value of the goods determined each time in the unrealized order in case of renouncing the order by the Contractor due to the reasons caused by the Orderer.

Regardless of the stipulated penalties the Orderer retain the right to claim compensation on the general 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 1,370,163 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 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 260,313 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 35/2012 dated 14.02.2012. 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 RB5/2012 dated 12.01.2012 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*).