

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 60/2012

Date: 12 April 2012

Issuer's shortened name: KOPEX SA

Subject: **Confidential information – the Issuer's agreement with the Russian contracting party**

Legal basis: Law on Offer, Art. 56, Par.1 Item 1 – confidential information

Contents of the report:

The Management Board of KOPEX SA with its registered seat in Katowice (the Issuer) informs that has received signed agreement with Russian contracting party – OOO Shahta Butovskaya with its registered seat in Kemerovo (Russia).

The Parties of the agreement dated 5 April 2011 are: KOPEX SA - Seller and OOO Shahta Butovskaya with its registered seat in Kemerovo (Russia) – Buyer.

Subject of the agreement is „Supply of longwall system including powered roof support, longwall shearer, scraper armoured face conveyor, scraper beam stage loader, crusher and set of electrical and hydraulic equipment.”

Total value of the agreement: EUR 16,506,645.00

Terms of payment:

100% of the total agreement value payable with two irrevocable documentary letters of credit:

- the first one, in the amount of 20% of the total value of the agreement, will be opened within 30 days from the date of signing the agreement,
- the second one, in the amount of 80% of the total value of the agreement, will be opened not later than on 1 August 2012.

The agreement shall enter into force after the total fulfillment of the conditions:

- after signing the agreement by both Parties,
- after opening the first letter of credit by the Buyer,
- after providing a bank guarantee of collection by the Buyer.

Term of the agreement: up to 6 months from the date of entry into force

Stipulated penalties for delays in delivery time:

In case of the late delivery of the equipment, due to the reasons caused by the Seller, the Buyer may require the Seller to pay stipulated penalties amounting to 0.02% of the value of the equipment, starting from the 8th day of delay.

Maximum compensation for delay shall not exceed 5% of the total value of the equipment. It is total and maximum liability of the Seller under the agreement for delay in delivery.

The above mentioned agreement does not meet the criterion of recognising an agreement as a significant one within the meaning of Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...), however due to the fact that Investors are interested in development of Kopex activity on foreign markets and considering the principles of transparency and the importance of this information for the market participants, the management board of the Issuer has decided to inform the public.

Legal basis for publishing: Art. 56 Par.1 Item 1 of Law on Offer and Conditions Governing the Introduction of Financial Instruments to Organised Trading, and Public Companies dated 29 July 2005 (Dz.U. Nr 184, poz.1539), consolidated act of 9 October 2009 (Dz.U. , Nr 185, poz.1439).