

(Translation from the Polish language)

## **FINANCIAL SUPERVISORY COMMISSION**

### **Current report No 87/2012**

Date: 21 June 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 20.06.2012 by KOPEX Electric Systems SA with its registered seat in Tychy (the Issuer's indirect subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the aforementioned agreement dated 29.05.2012 are: KOPEX Electric Systems SA based in Tychy – Contractor and Kompania Węglowa SA – Orderer

The subject of the agreement is „Supply of transformer stations, transformers and compact stations to the branches of Kompania Węglowa SA within 2012”.

Value of the agreement: PLN 2,127,400.00 + VAT

Term of the agreement: till 31.12.2012

#### **Stipulated penalties:**

The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the net value of the subject 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 value of the subject of the agreement in case of renouncing the agreement by the Contractor due to the reasons caused by the Orderer.

The Parties retain the right to claim additional 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 1,317,368 thou PLN, in compliance with data included in the published report for the first quarter 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 with this customer and its subsidiaries agreements amounting altogether to 289,217 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 85/2012 dated 04.06.2012. 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 5/2012 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*).