

(Translation from the Polish language)

## FINANCIAL SUPERVISORY COMMISSION

### Current report No 111/2012

Date: 31 July 2012

Issuer's shortened name: KOPEX SA

Subject: **An agreement concluded by the Issuer's subsidiary with Jastrzębska Spółka Węglowa SA**

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 today has been aware of receiving on 30.07.2012 by Rybnicka Fabryka Maszyn RYFAMA SA with its registered seat in Rybnik (the Issuer's subsidiary) an agreement signed with Jastrzębska Spółka Węglowa SA based in Jastrzębie Zdrój.

The Parties of the aforementioned agreement dated 25.07.2012 are: Rybnicka Fabryka Maszyn RYFAMA SA SA - Contractor and Jastrzębska Spółka Węglowa SA, Borynia – Zofiówka Coal Mine, Area Borynia - Orderer.

The subject of the agreement is „Supply of two brand new scraper armoured face conveyors for JSW SA, Borynia – Zofiówka Coal Mine, Area Borynia (two tasks).”

Task no. 1: Delivery of brand new scraper armoured face conveyor supply by voltage of 1.0kV.

Task no. 2 : Delivery of brand new scraper armoured face conveyor supply by voltage of 3.3kV.

Value of the agreement: PLN 17,991,000.00 + VAT

Completion date:

- task No. 1: up to 10 weeks from the date of the agreement
- task No. 2: till 31.01.2013

Stipulated penalties:

- 1) The Contractor may be charged by the Orderer stipulated penalties amounting to 0.1% of the gross price for each day of delay in implementation of the agreement in relation to the dates specified in the agreement.
- 2) The Contractor may be charged by the Orderer stipulated penalties amounting to 0.1% of the gross price for each day of delay in relation to agreed term for removal of defects in the subject of the agreement.
- 3) The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the gross price specified in the agreement in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor.

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

considering its value and impact on financial results of Kopex Group as well as 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).