

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 82/2012

Date: 25 May 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 25.05.2012 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 9.05.2012 are: Rybnicka Fabryka Maszyn RYFAMA SA SA - Contractor and Kompania Węglowa SA – Orderer.

The subject of the agreement is „Supply of a new RYBNIK 1100 AFC and a new Grot 1100 BSL for KW SA, Piast Coal Mine.”

Value of the agreement: PLN 10,178,292.68 + VAT

Term of the agreement: not earlier than 12 weeks from the date of the agreement (till 31.12.2012 but not earlier than 1.10.2012)

Stipulated penalties (according to the Regulation of the Minister of Finance):

1) The Contractor is obliged to pay the Orderer stipulated penalties:

- a) 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,
- b) amounting to 0.1% of the net value of the agreement for each day of delay in relation to the term specified in the agreement, including the 10th day,
- c) amounting to 1% of the net value of the agreement for each day of delay exceeding 10 days in relation to the term specified in the agreement,
- d) in the amount corresponding to the number of days of delay, as in point b and c, for the delay in providing the required documents for the reception of the subject of the agreement.

2) 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.

3) Regardless of the stipulated penalties provided for in par 1 and 2 the Parties retain the right to claim compensation on the general basis up to value of the losses borne in fact.

4) The Parties retain the right to claim additional compensation on the general basis if the value of the losses borne in fact exceeds the value of the stipulated penalties.

5) The total amount of stipulated penalties and compensation can not exceed the net value of the agreement.

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 285,560 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 77/2012 dated 11.05.2012. 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*).