

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 12/2013

Date: 7 February 2013

Issuer's shortened name: KOPEX SA

Subject: **Significant agreement concluded by the Issuer's subsidiary TAGOR SA with Kompania Węglowa SA**

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 by TAGOR SA with its registered seat in Tarnowskie Góry (the Issuer's indirect subsidiary) an agreement signed with Kompania Węglowa SA based in Katowice.

The Parties of the aforementioned agreement dated 18.01.2013 are: TAGOR SA - Contractor and Kompania Węglowa SA – Orderer.

The subject of the agreement is „Supply of friction props to the branches of Kompania Węglowa SA within 2013.”

Value of the agreement: from PLN 551,596.17 + VAT (guaranteed value) to PLN 1,269,000.00 + VAT (maximum value)

Term of the agreement: till 31.12.2013 with the possibility of extension till 31.03.2014

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

In case of failure to perform or improper performance of the agreement:

- 1) The Contractor is obliged to pay the Orderer stipulated penalties amounting to:
 - a) 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,
 - b) 10% of the contractual net value of the good each time specified in unrealized part of the order in case of renouncing the order by the Orderer due to the reasons caused by the Contractor.

In case of definitive non-implementation of the order or its part, while the agreement has not been renounced, the stipulated penalty is equal to the value of the unrealized order.

- 2) The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the contractual net value of the good each time specified in unrealized part of the 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 and lost profits.

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 1,350,333 thou PLN, in compliance with data included in the published report for the third 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 155,458 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 9/2013 dated 25.01.2013. 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 RB82/2012 dated 25.05.2012 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*).