

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 134/2011

Date: 21 September 2011

Issuer's shortened name: KOPEX SA

Subject: **Significant agreement of the Issuer's subsidiary**

Legal basis: Law on Offer, Art. 56, Par.1 Item 1 – 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 21 September 2011 by WAMAG SA with its registered seat in Wałbrzych (the Issuer's subsidiary) an agreement dated 6 September 2011 and signed with KGHM Polska Miedź SA, Polkowice-Sieroszowice Mine.

The Parties of the agreement are: KGHM Polska Miedź SA – Orderer and WAMAG SA (Leader) and PPHU WAREX Sp. z o.o. - Contractor.

Subject of the agreement is „Installation of belt conveyors in order to extend the L-232 belt conveyors in F-100 incline in G-63 department.”

Value of the agreement: PLN 1,550,000.00 + VAT

Term of the agreement: till 31.12.2011

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

1. The Orderer may charge the Contractor stipulated penalties amounting to:

- 10% of the lump sum remuneration for the subject of the agreement in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor;
- 10% of the lump sum remuneration for the subject of the agreement in case of renouncing the agreement by the Contractor due to the reasons beyond the Orderer.

2. The Contractor may charge the Orderer stipulated penalties amounting to:

- 10% of the lump sum remuneration for the subject of the agreement in case of renouncing the agreement by the Contractor due to the reasons caused by the Orderer;
- 10% of the lump sum remuneration for the subject of the agreement in case of renouncing the agreement by the Orderer due to the reasons beyond the Contractor.

If the losses borne in fact exceeds the value of the stipulated penalties the Orderer retain the right to claim additional compensation on the general rules of the Civil code.

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 1,343,572 thou PLN, in compliance with data included in the published

report for half-year of 2011) 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 266,167 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 7/2011 dated 31.01.2011. 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 7/2011 dated 31.01.2011 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*).