

FINANCIAL SUPERVISORY COMMISSION

Current report No 189/2011

Date : 20 December 2011

Issuer's shortened name : KOPEX S.A.

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

Legal basis : Law on Offer , Art. 56, Par 1 point 2 – current and cyclic information.

Contents of the report:

The Board of KOPEX S.A. with a registered seat in Katowice (the Issuer) informs that today The Issuer has been aware of receiving on 19 December 2011 by Zakład Elektroniki Górniczej ZEG S.A. with a registered seat in Tychy (the Issuer's indirect subsidiary), the agreement signed with Jastrzębska Spółka Węglowa S.A. with a registered seat in Jastrzębie Zdrój .

The parties of the aforementioned agreement dated 14 December 2011 are ZEG SA – the Supplier and Jastrzębska Spółka Węglowa S.A.- the Orderer.

The subject of the agreement is supply of spare parts manufactured by ZEG S.A. and the equipment manufactured by ZEG S.A. to the mines of JSW SA.

Value of the agreement – 651.564,19 PLN net

Term of the agreement – till 31 December 2011

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

The Supplier is obliged to pay the Orderer stipulated penalties

- amounting to 10% of the gross value of outstanding order in case of termination of the agreement due to the reasons caused by the Supplier
- amounting to 10% of the gross value of outstanding order in case of renouncing the agreement by the Orderer due to the reasons caused by the Supplier and if the Supplier fails to comply with the order despite the expiry of the deadline for delivery of goods.

If the stipulated penalties do not cover the damage suffered, the Orderer may claim for a supplementary damage in accordance with regulations of Civil Code being in force.

The criterion of recognizing 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 1.358.213 thou. PLN, in compliance with data included in the published report for the third quarter of 2011) and fulfillment of the criteria set forth in Par.2 Cl.1.44 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 and the Issuer's subsidiaries signed with this customer the agreements amounting altogether to 303 460 thousand PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 183/2011 dated 9 December 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 66/2011 dated 31 May 2011 that also contains information relating to the highest value agreement set forth in Par 9 Cl. 1-7 of the Regulation of the Minister of Finance dated 19 February 2009 on current and periodic information (...)

Legal basis of transmission : Par 5 Cl.1.3 in relation with Par.2 Cl.2 and Par.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 which is not a member country (Dz.U. dated 2009, No33, pos. 259 with amendments).