

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 41/2012

Date: 9 March 2012

Issuer's shortened name: KOPEX SA

Subject: **Annex to a significant credit 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 by Zabrzeńskie Zakłady Mechaniczne SA based in Zabrze (the Issuer's subsidiary) an Annex No 15 to credit agreement dated 24.04.2006, being a multipurpose credit limit, concluded by Zabrzeńskie Zakłady Mechaniczne SA based in Zabrze and PKO BP SA. By the virtue of the aforementioned annex the Bank will increase the borrower's current credit limit by 30 mill zlotys, ie. the total value of the borrower's credit limit will amounts to 120,242,600.00 mill zlotys (till 30.06.2014).

The credit agreement is safeguarded by: ZZM SA blank bill, KOPEX SA guarantee together with statement of execution dated 9.03.2012 and blanket mortgage over the properties of TAGOR SA (the Issuer's indirect subsidiary).

At the same time we inform that with the entry into force of the current guarantee, expires the guarantee dated 28.06.2011, which has been granted by KOPEX SA to Zabrzeńskie Zakłady Mechaniczne SA (the Issuer informed about granting the guarantee in the current report RB91/2011 dated 6.07.2011).

Detailed conditions of the new guarantee contains the guarantee agreement concluded by the companies on 9.03.2012.

The issuer informed about the credit agreement in question and the annexes to this agreement in the current reports RB258/2007 dated 11.10.2007, RB40/2008 dated 11.04.2008, RB92/2008 dated 23.07.2008, RB134/2009 dated 27.07.2009 and RB91/2011 dated 6.07.2011.

The total value of the credit limits granted by PKO BP SA to KOPEX SA or its subsidiaries, based on current and valid over the last 12 months credit agreements, remains unchanged and amounts to PLN 730,001 thou (including this one). The highest value agreement from is the agreement on a multipurpose credit limit in the amount of PLN 261,000,000.00 with a repayment term on 1.07.2014. The Issuer informed about the agreement in question in the current reports RB76/2006 dated 3.07.2006, RB34/2007 dated 15.02.2007, RB49/2007 dated 6.03.2007, RB140/2007 dated 29.06.2007, RB86/2008 dated 3.07.2008, RB129/2009 dated 15.07.2009, RB 156/2009 dated 29.09.2009 and RB88/2011 dated 1.07.2011.

The criterion of recognising a credit 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 1,370,163 thou PLN, in compliance with data included in the published report for the fourth quarter 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 (...).

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*).