

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 44/2012

Date: 12 March 2012

Issuer's shortened name: KOPEX SA

Subject: **Significant frame agreements 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 12.03.2012 by Rybnicka Fabryka Maszyn RYFAMA SA with its registered seat in Rybnik (the Issuer's subsidiary) three frame agreements signed with Kompania Węglowa SA based in Katowice.

The Parties of the aforementioned agreements dated 27.01.2012 are: Rybnicka Fabryka Maszyn RYFAMA SA - Contractor and Kompania Węglowa SA – Orderer.

The subject of the all agreements is „Supply of scarper conveyors' sub-assemblies for the Branches of Kompania Węglowa in the years 2012-2013”.

The total value of the agreements: PLN 18,206,793.00 + VAT

Term of the agreement: till 31.12.2013

Stipulated penalties:

1. In case of non-performance or improper performance of the executory order the Contractor is obliged to pay the Orderer stipulated penalties amounting to:

- a) 10% of the net value of the unrealized order in case of renouncing the execution of the order by the Orderer due to the reasons caused by the Contractor,
- b) 0.1% of the net value of the unrealized on time order for each day of delay.

2. The Orderer is obliged to pay the Contractor stipulated penalties amounting to 10% of the net contractual value of the executory order in case of renouncing the execution of the order by any Party due to the reasons caused by the Orderer.

3. The Parties have decided that the penalties for delay in execution or withdrawal from execution are relevant to the whole positions of the executory order, ie. all ordered items within the scope of the positions under the executory order.

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 1,370,163 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 (...). In the past 12 months the Issuer's subsidiaries signed with this customer and its subsidiaries agreements amounting altogether to 278,520 thou PLN (including this one). The Issuer informed

about the last agreement with this customer in the current report RB 43/2012 dated 12.03.2012. 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*).