

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 46/2012

Date: 19 March 2012

Issuer's shortened name: KOPEX SA

Subject: **Significant 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 on 19.03.2012 by Rybnicka Fabryka Maszyn RYFAMA SA with its registered seat in Rybnik (the Issuer's subsidiary) an agreement signed with Jastrzębska Spółka Węglowa SA based in Jastrzębie Zdrój.

The Parties of the aforementioned agreement dated 15.03.2012 are: Rybnicka Fabryka Maszyn RYFAMA SA - Contractor and Jastrzębska Spółka Węglowa SA – Orderer.

The subject of the agreement is „Modernization of route of the Rybnik 850 AFC for JSW SA, Borynia - Zofiówka Coal Mine, Area Borynia”.

Value of the agreement: PLN 4,443,300.00 + VAT

Term of the agreement: 14 weeks from the date of the agreement

Stipulated penalties:

The Contractor is obliged to pay the Orderer stipulated penalties amounting to 0.1% of the gross price for each day of delay over the fixed date of modernization.

The Contractor is obliged to pay the Orderer stipulated penalties amounting to 0.1% of the gross price for each day of delay in relation to the date fixed as the defects removal.

The Contractor is obliged to pay the Orderer stipulated penalties amounting to 10% of the gross price in case of renouncing the agreement by the Orderer due to the reasons caused by the Contractor.

The payment of the stipulated penalties does not release the Contractor from execution of the subject of the agreement.

The total value of the stipulated penalties can not exceed the gross price of the agreement.

The Parties retain the right to claim compensation on the general basis 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 1,370,163 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 wi330266 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 39/2012 dated 5.03.2012. 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 RB66/2011 dated 31.05.2011 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*).