

(Translation from the Polish language)

FINANCIAL SUPERVISORY COMMISSION

Current report No 79/2012

Date: 11 May 2012

Issuer's shortened name: KOPEX SA

Subject: **Significant 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 11.05.2012 by Kopex Electric Systems SA with its registered seat in Tychy (the Issuer's indirect subsidiary) two agreements signed with Jastrzębska Spółka Węglowa SA based in Jastrzębie Zdrój.

The Parties of the aforementioned agreements dated 7.05.2012 are: Kopex Electric Systems SA - Supplier and Jastrzębska Spółka Węglowa SA, Zakład Logistyki Materiałowej – Orderer.

The subject of the first agreement is „Supply of two flame-proof transformer stations with a capacity of 1200kVA and a voltage of 6/1/0.5 kV.”

The subject of the second agreement is „Supply of three flame-proof transformer stations with a capacity of 630kVA and a voltage of 6/0.5 kV.”

Total value of the agreements: PLN 2,312,000.00 + VAT

Value of the first agreement: PLN 1,100,00.00 + VAT

Value of the second agreement: PLN 1,212,00.00 + VAT

Term of the agreements: up to 60 days from the date of the agreements

Stipulated penalties:

The Supplier is obliged to pay the stipulated penalties:

- a) amounting to 0.1% of the gross price of the subject of the agreement for each day of delay in supply,
- b) amounting to 10% of the gross price of the unrealized part of the agreement in case of failure to perform of the agreement by the Supplier due the reasons caused by the Supplier,
- c) amounting to 10% of the gross price of the unrealized part of the agreement in case of renouncing the agreement by the Orderer due to the reasons caused by the Supplier.

Each Party retain the right to claim additional compensation on the general basis corresponding to the value of the losses borne in fact.

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 261,577 thou PLN (including this one). The Issuer informed about the last agreement with this customer in the current report RB 72/2012 dated 26.04.2012. 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 RB 66/2011 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*).