



SAFETY CLAUSE

- 1) CONTRACTORS are obliged to conduct an occupational risk assessment related to the work to be performed on the premises of Inowrocławskie Kopalnie Soli SOLINO S.A. before commencement of the work, to keep relevant records as required in the applicable occupational health and safety regulations, and to make such records available for the CLIENT's review if requested.
- 2) CONTRACTORS are obliged to provide protective work clothing and safety footwear to their employees, to implement appropriate measures in order to limit occupational risks according to the law, and to use only tools, materials and equipment which are fully functional, have applicable technical approvals, test and quality certificates, acceptance notices etc.
- 3) CONTRACTORS undertake to promptly notify OHS and Fire Safety services of Inowrocławskie Kopalnie Soli SOLINO S.A. of any accidents at work and fires if they should occur in the course of their performances, and to enable CLIENT's OHS and FS specialists to take part in the investigation of their circumstances and causes.
- 4) CONTRACTORS declare that they will provide:
 - a) The CLIENT'S OHS officer/specialist with information regarding all accidents at work involving their employees and SUBCONTRACTORS and fire incidents (ignition, spontaneous combustion and other similar local hazards) if these should occur during the performance of their work on the premises of Inowrocławskie Kopalnie Soli SOLINO S.A. using the template enclosed in Appendix No. 1 to this document.
- 5) CONTRACTORS are obliged to:
 - a) Provide training of their employees and the employees of their SUBCONTRACTORS in occupational safety and health and fire safety regulations before any work can be started.
 - b) Advise employees acting on their behalf of alarming and warning procedures in case of fire, major breakdowns and other local hazards and emergency evacuation.
- 6) CONTRACTORS declare that their employees operating on the premises of IKS SOLINO S.A., including those performing hazardous work, have valid occupational health certificates as applicable to the performed work.
- 7) CONTRACTORS declare that employees acting on their behalf are properly licensed or qualified to do the kind of work related to the scope of the Contract.
- 8) CONTRACTORS declare that employees acting on their behalf will use equipment and tools with valid inspection certificates and approvals when performing or securing hot works.
- 9) CLIENT reserve the right to carry out inspections of the CONTRACTOR'S compliance with applicable OHS and Fire Safety regulations.
- 10) Whenever third-party personnel are carrying out any work at the same site as the CONTRACTOR'S personnel, the CONTRACTOR undertakes to collaborate with other employers in OHS and FS related matters.
- 11) CONTRACTORS, including their employees and their SUBCONTRACTORS' employees, declare that – in all matters of occupational health and safety and fire safety – they will respect applicable instructions, orders and remarks of the CLIENT, IKS SOLINO S.A. OHS and Fire Safety services and undertake to co-operate in accident and fire prevention procedures when performing work.

- 12) CONTRACTORS shall be fully responsible and liable for their SUBCONTRACTORS' acts and omissions.
- 13) CONTRACTORS declare to be acquainted with the requirements regarding occupational health and safety and fire safety, specified in generally applicable regulations related to work performed on the premises of IKS SOLINO S.A. and undertake to comply.
- 14) If a management or supervision representative of IKS SOLINO S.A. should find out that a CONTRACTOR fails to comply with the provisions of this document in their performance of the Contract and their employees are responsible for a material breach of the generally applicable occupational health and safety or fire safety regulations, the CLIENT shall reserve the right to enforce the procedures specified in Section 1 of Appendix No. 2 to this Safety Clause and the CONTRACTOR shall undertake to eliminate the breach(es).

**PROCEDURES IN THE EVENT OF A BREACH OF CONTRACT
regarding occupational health and safety, and fire safety regulations**

1. Procedures in the event of a CONTRACTOR'S breach of OHS and Fire Safety regulations.

- 1.1. In the event that the CLIENT'S management or supervision personnel ascertains that the CONTRACTOR or any personnel employed on their behalf performs work in a manner which endangers human life or health or results in a breach of generally applicable occupational health and safety or fire safety regulations, or that the CONTRACTOR or any personnel acting on their behalf fails to comply with the Safety Clause, the CLIENT shall be entitled to:
- 1.1.1. Make an official report to provide the basis for the determination of contractual penalties according to the **Schedule of OHS and FS Non-Compliance Penalties**. For the Schedule and a template for the Report see Sections 2 and 3 below.
- 1.1.2. Resolve to:
- 1.1.2.1. Suspend the work(s)
- 1.1.2.2. Impose a temporary or permanent ban on the CONTRACTOR'S performance of work for IKS SOLINO S.A.

2. Schedule of OHS and FS Non-Compliance Penalties

Item	Shortfalls, irregularities, non-compliance	Penalty amount
1.	Non-performance of a documented occupational risk assessment of the relevant work; failure to advise employees of occupational risks involved in the work to be performed by them and of appropriate risk prevention measures, acknowledged by the affected employees' signatures.	PLN 300.00
2.	Staying on the premises under influence of alcohol or intoxicated	PLN 1000.00 (per employee)
3.	Failure to use personal protection equipment Using personal protection equipment without the required CE marking	PLN 100.00 (per employee)
4.	Non-observance of the requirement to respect the law and maintain order at the workplace, in particular as regards OHS and FS regulations applicable to storage and stacking of materials and equipment	PLN 200.00
5.	Failure to secure and mark the work site in a clear and visible manner	PLN 300.00
6.	Using faulty or damaged tools, equipment and machines	PLN 300.00
7.	Misusing or using tools, equipment and machines against their purpose	PLN 300.00
8.	Missing or invalid operator's (E) or inspector's (D) certificates required of the personnel performing work on power equipment and systems Missing mining qualifications required of the personnel performing welding or electrical work	PLN 200.00 (per employee)
9.	Failure to ensure appropriate supervision by a line manager/immediate superior when performing particularly hazardous work	PLN 300.00
10.	Allowing work to be performed by an employee who does not have a valid OHS training certificate or who has not been instructed by the CLIENT'S OHS services regarding the scope of work specified in the Contract	PLN 200.00 (per employee)
11.	Allowing work to be performed under the Contract by an employee who does not have a valid occupational health certificate	PLN 200.00 (per employee)
12.	Using naked flames or smoking in non-smoking areas	PLN 200.00
13.	Lack of functional, portable firefighting equipment with valid inspection certificates/seals, where it is required at the work site	PLN 200.00
14.	Using electrical equipment and handheld power tools without required test certificates or approvals	PLN 200.00
15.	Using electrical equipment and tools which are not in proper working order	PLN 200.00
15.	Routing electrical cables and gas hoses in a manner which may result in their damage	PLN 200.00
16.	Failure to include applicable safe working clauses in contracts with SUBCONTRACTORS	PLN 300.00
17.	Employing SUBCONTRACTORS without the CLIENT'S consent	PLN 500.00

3. Template for a OHS and FS Non-Compliance Report

Report No. /

I. On the basis of Art. of Contract No. of
for

The following inspection was carried out:

Date:

Location:

By:

In the presence of:
(name of the company representative)

Representing the following company:
(full name of the company)

II. Additional details:

.....
.....
.....

III. The following shortfalls, irregularities or non-compliances were observed:

1.
- i.e. Item of the Schedule of OHS and FS Non-Compliance Penalties
Suggested penalty amount: PLN

2.
- i.e. Item of the Schedule of OHS and FS Non-Compliance Penalties
Suggested penalty amount: PLN

3.
- i.e. Item of the Schedule of OHS and FS Non-Compliance Penalties
Suggested penalty amount: PLN

The shortfalls, irregularities or non-compliances above shall provide the basis for the determination of applicable contractual penalties regarding OHS and Fire Safety according to the Schedule of OHS and FS Non-Compliance Penalties.

IV. Inspected (sub)contractor:
(name and position/job title of a supervisor of the inspected company performing work on the premises of the CLIENT'S; date and signature)

V. Inspector:
(name and position/job title of the supervisor responsible for the CONTRACTORS' compliance with OHS and FS regulations; date and signature)

VI. Comments and remarks to the Report (recorded/not applicable*)

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VII. Inspector's response to the comments/remarks:

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VIII. Approval

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(OHS and FS Officer, date and signature)

IX. Enclosures

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Distribution list:

1. CONTRACTOR
2. Inspector
3. CLIENT'S Project Administration/Supervision

Appendix No. 1 to Contract No.

**Register of Accidents at Work and other Incidents
(breakdown, accidental release, fire)**

Name of involved Contractor/Company

Item	Reported by [first name and surname]	Date	Time	Location	Description	Cause(s) of the event or hazard	Result(s) of the accident or incident
1.							
2.							
3.							
4.							
5.							
6.							