

Wintershall HSE Requirements Supplement to General Conditions of Purchase Goods & Services

May 2019



1 GENERAL

Contractor shall proactively maintain a strong and clear HSE (Health Safety & Environment) commitment throughout the day-to-day execution of the work.

Contractor shall nominate a line manager within its organisation to closely monitor HSE issues during contract execution.

1.1 Performance

Contractor shall execute the work in a manner that minimises the risk for loss of life or harm to health, damage to plant and/or equipment, and unplanned emissions or discharges to the environment.

Contractor undertakes to perform the work in a secure and safe manner.

Contractor shall comply with all relevant Company procedures.

Company reserves the right to suspend operations, should, in the sole opinion of Company, Contractor's personnel and or subcontractors to be putting people, property or the environment at risk.

If requested by Company, Contractor shall prepare and submit its HSE-Plan to Company prior to the commencement of the work.

1.2 Safety reporting

Contractor shall notify Company Representative immediately of the following events:

1. all accidents and incidents involving personnel, environment or assets,
2. all near misses/incidents, defined as an undesired event that under slightly different circumstances could have resulted in harm to personnel, environment or assets.

Contractor shall submit a written report on such aforementioned event to Company's Representative within 24 hours of the same.

Contractor shall investigate all serious incidents in which it was involved during the course of the work.

Company reserves the right to conduct its own investigation and make recommendation for corrective action.

Each Party to the contract shall prepare any and all reports of incidents involving their personnel or otherwise as required under the applicable law. Contractor shall provide Company copies of all reports it creates..

Contractor shall not make any report, verbal or written, to third parties, organizations or third parties with regards any HSE issue or incident related to Company's worksite without the prior written permission of the Company.

As agreed with Company, but always immediately prior to the commencement of work, Contractor shall organise or participate in regular meetings with all personnel on site regarding all aspects of HSE. Contractor will keep records of the meetings they organise and hold, and provide Company with copies of such records.

1.3 Unacceptable standards

If, in the opinion of the Company, the Contractor's management and application of HSE policies and standards are unsatisfactory, notice in writing will be given to the Contractor.

A plan to correct any deficiencies will be agreed between Company and Contractor.

Notwithstanding the foregoing, Company reserves the right to terminate the contract in the event that it is not satisfied with Contractor's approach to HSE.

At Company's request, Contractor shall immediately remove any member of its personnel from the worksite that Company does not consider competent for the safe performance of the work.

2 MANAGEMENT SYSTEM

Contractor shall operate a fully documented and effectively implemented HSE Management System (HSE-MS) during the course of the work.

Contractor's HSE-MS shall address all areas of the work, including works performed by subcontractors.

Company reserves the right to monitor the effective implementation of the HSE-MS.

Where applicable, the interface between Company and Contractor HSE-MS shall be described in a bridging document agreed by both parties.

3 TRAINING

Contractor shall arrange the training and courses required by Company for Contractor's personnel.

Contractor represents that all its employees, including subcontractors, are competent to undertake their specific function, and are aware of the hazards, risks and risk-control measures related to the different aspects of the operations. Contractor warrants that trainee personnel will not work unsupervised at the worksite.

All Contractor personnel engaged at Company's worksite shall comply with the authorities' current requirements for HSE training.

4 RIGHT OF INSPECTION AND AUDIT

Company shall have the right to audit Contractor either at the worksite or at Contractor's premises, in order to evaluate Contractor's compliance with applicable Health, Safety and Environmental related procedures, and recognized industry standards. Contractor shall give Company and/or its third party representative access to its premises, if necessary, and fully cooperate with such audit at no cost to Company.

Contractor shall give Company auditors full access to the work in progress, personnel, records and documentation, insofar as required, for the purpose of conducting the audit.

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5 EMERGENCY PREPAREDNESS

Contractor shall strictly comply with all emergency procedures relating to the worksite during the course of the work.

Contractor shall be responsible for keeping all its employees, and subcontractors, informed of the relevant emergency procedures, and participate in exercises and training as required by Company.

Contractor shall maintain up-to-date and relevant personnel data for Contractor- and subcontractor personnel in Contractor's office and/or on site in case of an emergency.

Contractor shall not communicate with the media or any other third party about the work or Company's project without Company consent.

6 OCCUPATIONAL HEALTH & SAFETY

Contractor shall systematically identify and assess relevant health and working environment risks prior to the commencement of the work and shall implement effective measures to mitigate the same.

Contractor shall have an occupational health service for its employees.

Company has zero tolerance for use of alcohol and/or drugs during performance of the work at the worksite.

Contractor shall ensure compliance with Company's Alcohol & Drugs policy, and non-smoking policy in place at the worksite.

Company reserves the right to conduct, or have conducted, an alcohol and/or drug test on personnel working at the worksite suspected of being intoxicated. .

Contractor shall ensure that all its employees have and use personal protective equipment appropriate for the hazards and risks at the worksite, and as prescribed in Contractor's procedures and standards.

Contractor shall comply with Company's personal protective equipment regulation at the worksite.

Contractor shall ensure that worksites have suitable illumination, warning and protection systems

Contractor shall comply with Company's Permit to Work System, unless otherwise has been agreed in writing.

Contractor shall ensure that any and all equipment or supplies used to perform the work have been inspected and tested prior to the commencement of the work, and are maintained, and remain fit for purpose throughout the term of the contract.

Contractor's worksite and activities shall be designed and maintained so that work can be safely performed and with due regard to good industry standards. Worksites shall be clean and tidy with appropriate safe storage of material and equipment and the collection and disposal of waste materials.

Contractor shall ensure that its worksites allow safe personnel access and egress at all time.

7 ENVIRONMENT

Contractor shall specify in the HSE plan, or in a separate Environmental Plan, measures it will apply to avoid harm to the environment by minimizing climate impact, energy consumption, use of harmful chemicals, waste, resources, packing materials (e.g. by using used or recycled materials).

7.1 Hazardous materials and chemicals

Contractor shall supply to Company copies of all relevant safety data information (e.g. Safety Data Sheets) for all hazardous chemicals before purchasing and/or transportation to the worksite.

The Safety Data Sheets shall also be kept on the site.

Where relevant, Contractor shall comply with EU-regulation Registration, Evaluation, Authorisation of Chemicals" ("REACH") (management of risks from chemicals and provision of safety information on substances).

Company shall be responsible for creating and submitting all reports required by law to appropriate government bodies regarding the identity, composition, and amount of hazardous chemicals, substances, and/or materials, if any, used or brought by Contractor to the worksite.

Procedures and standards with regard to use, storage, transportation and disposal of chemicals (including biocides), shall be agreed between Company and Contractor prior to the start of work.

7.2 Waste Management

Contractor shall handle all waste in accordance with applicable laws, regulations and Company's requirements. Company reserves the right to verify compliance of the same at any time during the work.

Contractor shall handle waste it generates on Company premises, worksites or installations, in accordance with the Company worksite procedures and, if relevant, using Company appointed waste Contractors and agreements when applicable. Unless otherwise agreed with Company in writing, all Contractor waste disposal costs shall be for Contractor's account.

Contractor shall be responsible for the safe containment, identification and segregation of any waste it produces.

8 SECURITY

Contractor shall implement security measures, which protect Company against relevant threats related to the work and Company's operations and property.

Contractor shall prevent unauthorized access of persons to the worksite.

Contractor shall ensure that its personnel comply with the security checks put in place by Company.

At Company's request, Contractor shall be able to promptly verify the identity of personnel who are engaged by Contractor to perform work for Company at worksite.

Contractor shall maintain prudent office security for office areas used for Company projects/activities and/or Company

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staff; i.e. access control, ID badge usage, and alarm / guard arrangements.

Contractor shall maintain prudent information security regarding Company information project information.

Contractor shall maintain a system for handling classified documents and classified electronic data.

Contractor shall maintain a system for computer & communications security for all computer system and networks used for handling Company information; including controlled computer access, virus protection, security updates, firewalls and backup routines.