



BINDING TERMS AND CONDITIONS for external persons' activities with respect to occupational health and safety, fire protection and environment protection

(hereinafter the "Binding Terms")

I. Introductory Provisions

1. These Binding Terms apply to the performance of all agreed activities of the external persons and their subcontractors for WITKOWITZ Group companies (hereinafter "WGC"). The WITKOWITZ Group companies are listed in Annex 3 to these Binding Terms.
2. These Binding Terms form an integral annex to the commercial agreement, under which the external person, i.e. a legal entity or natural person, referred to in the agreement as the contractor (or service provider/supplier, carrier, etc.) performs the required activities, provides services and performs work being the subject of performance according to the commercial agreement for WGC, referred to in the agreement as the client (or customer, buyer, etc.), and are considered a written agreement for coordination of the actions taken in the area of occupational safety and health (hereinafter "OSH"), fire protection (hereinafter "FP") and environmental protection ("EP") as well as the procedure to ensure the same.
3. External persons that are going to perform any contractual activity for WGC must not commence such activity unless they have been provably instructed on the present Binding Terms and other principles in the area of OHS and FP as well as on the applicable regulations in the field of property protection and EP and other regulations for each external person performing any activity for WGC (hereinafter the "Internal Regulations").
4. Introductory training of external persons on the principles and risks of OSH, FP and environmental risks and acquaintance with the applicable Internal Regulations and specific risks in the field of OSH, FP and EP of external persons is performed by a responsible WGC's employee.
5. Prior to commencing any contractual activity, external persons must send their responsible representative to become familiarised with the principles and risks of OSH, FP and environment risks as well as the Internal Regulations, who shall subsequently confirm in writing that s/he has been instructed of the said risks and Internal Regulations, is aware of them and undertakes to adhere to the obligations resulting from them within the meaning of Act No 262/2006 Coll., the Labour Code, Section 349 (1), and to observe any applicable safety directions – instructions and the corresponding safety precautions under the currently prevailing conditions, and, as a locally responsible person within the meaning defined above, undertakes to train any entrusted persons, including their subcontractors. The confirmation of the external person's representative shall be made using the form "**Declaration of External Person's Responsible Representative**", template of which forms Annex 2 to these Binding Terms. The external persons are obliged to agree on the date of the introductory training upon concluding the respective commercial agreement.

NOTE: If purposeful for ensuring the subsequent training of the external person's or subcontractors' employees, the external person's responsible representative may be provided with copies of the relevant Internal Regulations.

6. If more than 25 employees of the external person are performing work at the handed over work site, the external person is obliged to supervise the observance of OSH and FP requirements arising from these "Binding Terms", the applicable legal and other regulations **at regular intervals (at least once a week, unless a more frequent inspections are set out)**, and to keep provable records of such inspections. The external person is obliged to ensure performance of such inspections by a professionally qualified person in compliance with Act No 309/2006 Coll., as amended.
7. External persons are responsible for proper (current and relevant) condition of all professional certificates, training, health and professional capacity etc. of all their staff performing work for WGC. External persons are furthermore responsible for safe condition of the tools or equipment in use, including the rented ones. They are also responsible for ensuring that their employees shall proceed responsibly, especially in observing the principles of OSH, FP and EP, including any specific work and other risks that have been brought to their attention (through training, safety charts, notice boards or orally by site managers, etc.).
8. The initial familiarisation/training of external persons on the principles and risks of OSH, FP and EP is valid for 24 months from the initial familiarisation/training. If commercial agreement is extended (by an amendment to the agreement), the initial familiarisation/training of the external persons does not need to be repeated as long as the Binding Terms form an annex to the commercial agreement, and the last familiarisation/training of the external person concerned has been completed less than 24 months ago.
9. The external persons are obliged to proceed in such a way as to prevent risks of any harm to health or lives of WGC employees, other persons, or property and the environment while conducting their activity. The external person is obliged to provide their employees with first aid equipment corresponding to the activity pursued, being understood that the said equipment must remain accessible to the external persons during the entire period of their activity.
10. The external persons are strictly prohibited to access any WGC work sites other than those where they perform their activities. Moreover, they are prohibited to leave their respective work sites assigned to them (except they are on their way from the gatehouse to the work site assigned to them and back, and within the production facilities using the marked routes). At the same time, the external party is obliged to observe all obligations stipulated by WGC for movement on the roads with which the party was familiarised with upon entering WGC's premises.
11. The external person is obliged to proceed in accordance with Act No. 22/1997 Coll., as amended, during the production, sale and handover to use of specified products for WGC (within the meaning of Act No. 22/1997 Coll., as amended) following the applicable governmental decrees. In this context, the external person is obliged to submit technical documentation for the equipment, its detailed drawings, operating manuals, risk assessment documentation, written procedures for inspection, maintenance, adjustment, repairs, replacement of parts of the equipment, assembly and disassembly, etc.

II. Inspection and Penalties

1. External persons and their employees are obliged to respect the inspection activities of the responsible employees of WGC or other persons (including the security service) entrusted with their performance (hereinafter the "responsible employee of WGC"). Upon request and without objections, external persons are obliged to submit to the responsible employee of WGC in charge of monitoring compliance with regulations in the field of OSH, RTE, FP or EP all documentation concerning the management system and applicable principles for such areas. The external persons are also required to provide access to the responsible employee of WGC to all parts of the area being inspected and to all documents and records relating to the subject of the inspection. All employees of external persons are obliged to provide exhaustive and true information as required. If necessary, written record of the performed inspections shall be executed.

2. The external person acknowledges that violation of the legal and any other regulations on OSH within the meaning of Section 349 of Act No 262/2006 Coll., Labour Code, as amended (hereinafter the "legal and other regulations to ensure OSH") and the Internal Regulations on the part of the external person may be a reason for imposing contractual penalties by the respective WGC, for which the external person is performing the contractual work. **List of Penalties** forms Annex 1 to these Binding Terms. The amount of the penalties shown in the List of Penalties is stated as the maximum amount. The decision by WGC to impose a penalty on an external person and the reasons for it must be made in writing. Classification of the gravity of violation of legal and other regulations to implement OSH and the internal regulations are exclusively in WGC's competency. The contractual penalty is payable within 30 days of delivery of the decision to impose the penalty. The contractual penalty for violation of the legal and other regulations to implement OSH and Internal Regulations may also be imposed repeatedly by WGC upon the external persons. The external person is required to pay the penalty to WGC, which claimed and charged it.
3. The payment or enforcement of the penalty is without prejudice of WGC's right to require compensation for damage (e.g. material damage, SOD sanctions) or the external persons' obligation to perform their obligations as specified in the Internal Regulations. Responsible employee of WGC is authorised to suspend performing any activities of external persons in the premises of WGC contradicting the generally binding legal regulations or Internal Regulations, until the reasons for suspending the activities are eliminated.
4. **Any sanctions imposed on WGC by state administration authorities** (Regional Labour Inspectorate, Fire and Rescue Service, Regional Hygiene Station, etc.) **operating in the field of OSH and FP associated with a breach of legal regulations by any external person shall be borne by the external person.**
5. **The external persons are required to stop working without request whenever there is threat to persons' lives or a risk of the operating equipment accident** (for WGC and external persons) or an environmental threat. The external persons must notify responsible employee of WGC of such fact immediately. Any damage to an external person caused by a violation of legal regulations and Internal Regulations by the external person shall be borne by such external person.
6. Responsible employee of WGC may immediately send any external person's employees away from the premises of WGC, for which the external person is performing work, if the employee commits a crime, criminal offence or if their behaviour contradicts good morals.
7. The external persons are required to allow professionally qualified employees to perform OHS/EMS audits with the external person, and must do so upon written request (by e-mail, etc.). The professionally qualified employee must inform the external person about the decision to perform the audit no later than 15 days before the audit date. The output of the audit comprises an audit report assessing the OHS/EMS condition, compiled by the professionally qualified employee who shall discuss the report with the external person. The external person must take adequate measures based on the identified non-conformities if the non-conformities may affect the external person's performance in WGC.

III. Obligations of External Persons in Terms of Occupational Safety and Health

1. Before commencing the activity for WGC:
 - a) The responsible representative of the external person to perform the contracted activity for WGC is required to register for OSH and FP initial training.
 - b) Initial OSH and FP training for responsible representative of external person shall be carried out no later than on the last business day preceding the date the contracted activities are to commence. **In training of external persons on the principles and risks of OSH, FP and environment, the responsible representative of the external person is obliged to submit written information on the risks resulting from the activity of the external person and measures taken for protection against them.**
 - c) **The responsible representative of the external person is obliged to carry out OSH and FP training for all employees of the external person,** or at their subcontractor's premises, prior to commencing their activities for WGC. The responsible representative is obliged to write a report on such training, and to hand it over to the respective responsible employee of WGC no later than on the day the contracted activity starts, but always before it starts. The report must contain the following prerequisites:
 - External person's name,
 - Date of the completed training,
 - Training agenda,
 - List of names of the trainees including their signatures,
 - Trainer's name and signature.
2. The external persons are required to take all measures necessary to prevent risks in relation to their own employees and third party's employees, and other persons. Where more external persons perform contractual activities simultaneously at the same work site, the responsible representatives of the external persons are obliged to keep each other informed about any risks and safety precautions taken with regard to protection against such risks that concern the performance of work and the work sites concerned, and cooperate in ensuring OSH for all employees at the work site. Risk prevention means all measures that arise from the legal and other generally binding regulations to ensure occupational safety and health (hereinafter OSH), and from the measures taken by the employer to prevent risks and eliminate or minimise the effects of unavoidable hazards. For such reason, the external persons are particularly obliged to:
 - a) Appoint in writing a responsible employee of the external person for OSH and FP, who will be liable for compliance with all safety and fire regulations. Such employee is also responsible for ensuring that all the external person's staff shall use the personal protection equipment and wear working clothes bearing the external person's name or logo,
 - b) **Hand over to the responsible employee of WGC pursuant to Section 101 (3) of Act No. 262/2006 Coll. written information on risks and measures taken for protection against their effects,** which relate to the performance of work and the work site,
 - c) Submit responsible employee of WGC a duly completed and signed "**Statement of the External Person's Authorised Representative**", the template of which forms Annex 2 to these Binding Terms.
 - d) **Maintain a Building Log or another log/simple record (hereinafter the "Log"), where information about the course of activities performed by the external persons are recorded until the activities are completed,** if the aforementioned is bindingly required by legal regulations or expressly agreed in the respective agreement. Prior to commencing the work, the external organization is obliged to take safety measures to eliminate the risks that may arise for WGC in its activities. Prior to the commencement of the contracted activity, the responsible employee of WGC shall make the external person aware of the risks and places of danger at the work site during the handover of the work site or place of work; to this extent, the responsible employee shall execute to the necessary extent a "Record" on the commencement, course and termination of activities with

an indication of the specific features of the work site, and shall demonstrably hand it over to the competent external person or insert it in the Log. External persons may not commence their work for WGC without such record.

- e) Refuse to take over the work site or to commence the contracted activity until the responsible employee of WGC has defined the boundaries of the work site or the method of determining them, has marked utility networks, has defined the method of securing technologies etc., which pose an immediate threat to the external person's staff.
- f) **Deny its staff to have access to areas and premises not intended for their activities.** In order to access sanitary facilities, locker rooms, canteen or cafeteria, the staff may only use public roads intended for such purpose. Responsible employee of WGC shall provide a description of the handed over work site or the leased premises, a simple scheme and designation of the access road. The external person shall be responsible that its employees shall restrict their movement and presence to the work site, which they have been assigned and with which they have been familiarised. The respective responsible employee of WGC is liable for the handover of the work site and coordination of work. The external person shall delimit the work site in a due manner, and mark it with the external person's name or logo.
- g) Observe the instructions from the respective responsible employee of the respective WGC, for which the contracted activities are performed, and the security measures set out by the responsible employee.
- h) Notify the respective employee of the authorised company or the responsible employee of WGC of all circumstances which, during his/her activities, could put the life or health of persons at risk, or circumstances that could put operations or the safe condition of technical equipment or buildings of WGC at risk.
- i) **Allow and ensure that their employees and subcontractors undergo breath tests for the presence of alcohol or other addictive substances performed by a responsible employee of WGC or another designated WGC's person.**
- j) **If the external person intends to use a machine or equipment at a work site that has not been handed over, they must notify responsible employee of WGC about any risks caused by the use of the machine or equipment before commencing the work so that the responsible employee can take all safety measures as necessary.**
- k) If the external person uses WGC's assets in their activities (e.g. cranes, elevators, lifting platforms, welding machines, electrical wiring, etc.), the external person must enter into a written agreement with responsible employee of WGC in advance about their use. The content of the agreement shall define the rights and responsibilities and the conditions of safe use of the property. The external person shall ensure that the person who will use the WGC's property has a valid document of professional competence and medical capacity with regard to the performed activity and the used WGC's property,
- l) If the external person notices a risk which might pose a threat to the life or health of persons or cause an operating accident or a defect of technological equipment, or if the external person notices symptoms of such a danger, the external person is required to immediately notify the responsible employee of WGC and all persons who might be endangered by the risk,
- m) In the case of a threat to production, employees' health and lives or emergency, the external person is required to interrupt work and follow the instructions of the responsible employee of WGC,
- n) While performing work and other activities at the work sites and premises leased by WGC, the external persons must not use any hazardous substances or substances detrimental to health that could pose a threat to persons, or must adopt measures to eliminate such risks,
- o) The external persons are required to take all necessary safety measures when using equipment emitting X-ray, laser or another ionising radiation and sources of electromagnetic radiation, and must notify the responsible employee of WGC sufficiently in advance. As long as the equipment emitting ionising radiation is being used, the external person is required to notify the responsible employee of the name of the external person's employee appointed to supervise over the protection against the ionising radiation, and to submit a quality management programme for handling sources of ionising radiation,
- p) Records of occupational accidents shall be governed by generally binding legal regulations. At the same time, an external person who is also an employer, shall perform the following activities:
 - pa) Keep records of all occupational injuries as well as write, send and submit occupational injury records to public authorities (Regional Labour Inspectorate, Police of the Czech Republic) and health insurance companies for all injuries suffered by their staff. The external person is required to fulfil the notification duty according to Section 4 of GD No 201/2010 Coll.,
 - pb) Any occupational injury that results in incapacity for work and any fatal injury must be reported without undue delay by the management member of the external person concerned and to the responsible employee of WGC with a view to clarifying the causes and circumstances of the occupational injury.
 - pc) All information, interviews, photo documentation, materials etc. acquired during clarification of the causes and circumstances of the occupational injury shall be provided by the responsible employee of WGC to the external person who shall archive them for possible presentation to the state authorities and institutions, insurance companies, trade union body, staff representative for OSH, etc.,
 - pd) After the causes and circumstances of the occupational injury have been clarified, the responsible employee of WGC and the competent employee of the external person shall specify measures preventing the occupational injury from repeating, and shall record the measure in verifiable way, e.g. in the Log and OSH Book of the work site, with signatures of all parties.
 - pe) One copy of the occupational injury record must always be submitted to the responsible employee of WGC.

3. In ensuring safety of work with technical equipment, the external persons are particularly required to

- a) Observe the ban on any handling of machine and technological equipment of WGC without a written agreement, relevant authorisation and awareness of the responsible employee of WGC for whom the contracted activity is performed. The external person shall inform the responsible employee of WGC about the commencement and termination of the work on equipment and in the premises which are operated and have not been handed over to the external person as a permanently secured work site,
- b) Coordinate with the responsible employee of WGC' the manner and time of securing and shutting down the equipment that is partially or permanently operated, or is in the immediate vicinity of the operated equipment, and could endanger the external person's employees,

- c) Keep exit routes and roads clear and unblocked, including delimited areas in front of electric switchboards. Installed safety signs must not be removed, damaged or covered,
 - d) Ensure that the external person's staff adhere to the obligatory use of protective equipment of machines and technological units preventing or reducing the risk of injury, or preventing the hygienic parameters of the work site (noise, dust) from deteriorating, and observe the ban on removing or deactivating such equipment. Moreover, the employees of the external person shall be prohibited from launching and operating machinery and equipment without its safety covers and safety features in place and appropriately adjusted,
 - e) Perform work on the machines and technological equipment after the necessary securing of the equipment (e.g. switching it off, securing against movement etc.). The responsible employee of WGC, for which the contracted activity is performed, shall secure the equipment upon the external person's request. Responsible employee of WGC shall provide for the necessary coordination of performance of the contracted activity including the instruction in the relevant technical documentation. The responsibility for the actual contractual activity rests with the external person according to the respective documentation (legal regulations, technological and working procedures, etc.),
 - f) Ensure that work is performed in compliance with OSH regulations. The method of securing the work sites shall be specified in detail and coordinated by the relevant responsible employee of WGC,
 - g) **Protect their employees and third persons working at height using individual or collective security equipment preventing fall.** Construction and work on auxiliary protective and supporting structures (scaffolding, railings, protective fencing) must be performed in compliance with the provisions of the applicable legal regulations. Such protective and supporting structures must be sufficiently stable and resistant to external forces and adverse effects, and secured to safely withstand the anticipated strain, and must be duly taken over for use before the work on them commences.
4. External persons are responsible for keeping order in the WGC's premises and facilities in use. For the aforementioned reason, they are particularly obliged to:
- a) Only use such facilities outside their work site that have been assigned to them. External persons are obliged to keep the said premises and facilities free of any barriers that are unnecessary, and to transfer to the warehouse or remove without undue delay any excess materials and assembly equipment, which are no more needed or are not necessary for the activity they perform,
 - b) Ensure immediate cleaning of all access routes if they have been polluted or their traffic limited as a consequence of the external person's activity,
 - c) Hand over the work site (facility, area) upon completion of the works in a clean and safe condition, free from any excess material, assembly equipment, packaging etc. If they fail to do so, WGC may claim compensation for all costs relating to cleaning the work site,
 - d) Properly mark the land plots used as assembly, storage and handling zones with a sign bearing the user's name and the name of the responsible person of the external person. The same identification method shall be applied to other facilities (garages, shelters, etc.). The sign with the user's name and the responsible person's name shall be provided by the external person. The external person must ensure cleaning at regular intervals, at least once per month,
 - e) Refrain from any building, excavating, storing or other activities on land which is covered with grass, greenery or otherwise treated by gardeners within and outside the WGC's premises, without obtaining the responsible employee's consent,
 - f) When driving, obey the road traffic signs and speed limit within the WGC's premises.

IV. External Persons' Fire Protection Obligations

1. The external persons are obliged within the scope of their activities for WGC to act in such a manner that their actions do not cause fire, explosion, threat to life or damage to property. The obligations of the external persons in the area of fire protection while performing activities for WGC are set out by the generally binding legal regulations in the area of fire protection, particularly Act No. 133/1985 Coll., as amended, and Decrees of the Ministry of Interior No. 246/2001 Coll., as amended, and No. 87/2000 Coll., as amended).
2. **The external person is required to individually arrange for fire protection at the work sites or leased areas handed over** pursuant to generally binding regulations, and is responsible for adhering to the provisions of such regulations and damage caused by its activities. The external person appoints in writing an employee for the area of fire protection, who shall be responsible for compliance with the aforementioned regulations.
3. If several external persons are performing their activities at a work site, they are required to ensure mutually coordinated approach towards fire safety and to appoint an OSH and FP contact and responsible person.
4. The external person is required to become familiarised with the location, work site and with all hazards that may be connected with the performance of the activities, and to adopt any fire preventive measures adequate in relation to the type of the performed activities and the location of the work site. This obligation applies to all the employees of the external person.
5. Furthermore, the external persons are particularly obliged to:
 - a) Observe the smoking ban within the WGC's premises, except the designated areas,
 - b) While handling flammables or explosives and materials that may increase the risk of fire or explosion, the external person is required to notify such activity to the responsible employee of WGC prior to commencing it,
 - c) Adhere to all of the provisions of Decree of the Ministry of the Interior No. 87/2000 Coll., setting out the conditions of fire protection during welding and asphalt heating in melting vessels, as amended,
 - d) Properly mark the provided areas, facilities, work sites, storage areas, rooms etc., where activities with an increased or high fire risk are performed, and adhere to instructions, bans and regulations of Act No. 133/1985 Coll., as amended, and Decree of the Ministry of the Interior No. 246/2001 Coll., as amended,
 - e) Report the kind, quantity, number, location and method of storage of flammables and explosives, pressure vessels etc. to responsible employee of WGC,
 - f) Pursuant to Act No. 133/1985 Coll., as amended, immediately report every outbreak of fire in accordance with fire alarm regulations,
 - g) Ensure that all FP material means and fire safety equipment are intact, free of damage and maintained in operable condition, being accessible in all areas handed over or leased to the external person,

- h) Immediately notify the responsible employee of WGC of any loss, use of or damage to any part of or to the entire fire extinguishing equipment. Any loss, arbitrary use or misuse of the fire extinguishing equipment by the external person shall be charged in the amount of the costs incurred,
- i) Compensate to the authorised WGC for all costs relating to introduction of the fire extinguishing equipment into stand-by condition incurred to the external person due to failure to adhere to the Internal Regulations,
- j) The external person performing activities with the increased or high fire risk pursuant to Act No. 133/1985 Coll., as amended, shall continuously supervise over its employees and employees of sub-contractors performing such activities.

V. External Persons' Environment Protection Obligations

1. The external persons are required to adhere to all legal provisions particularly ensuing from Act No. 185/2001 Coll., on waste management and on amending certain other laws, as amended, Act No. 254/2001 Coll., on water and on amending certain laws, as amended, and Act No. 274/2001 Coll., on public water distribution and sewage systems, as amended, etc.

Any sanctions imposed by the state administration authorities competent in specific areas of environmental protection, associated with violation of legal regulation by the external person, shall be borne by the external person.

2. In relation to environment protection in WGC's premises, the external persons are especially required to:
 - a) Manage wastes from own operations in line with the applicable legal regulations in the area of waste management,
 - b) Handle waters during their operations in compliance with the applicable legal regulations governing water management and economic use,
 - c) Protect the air in compliance with the applicable legal regulations during their operations,
 - d) Manage chemical substances and mixtures during their operations in line with the applicable legal regulations.
3. Furthermore, the external persons are particularly obliged to:
 - a) During the activities performed for WGC, mark all facilities and areas dedicated to storage of their materials and collection of wastes with their name and the name of the responsible employee of the external person,
 - b) Collect, gather, sort, store, transport, remove and hand over the waste produced by their activity performed for WGC at their own expense, and in a manner compliant with the applicable legal regulations governing the handling of wastes as well as the internal regulations applicable in the respective WGC,
 - c) Not to collect or store any waste created by their activity in sorted waste containers (e.g. containers for glass, paper, plastics) and solid waste containers, which are intended exclusively for WGC without a prior written agreement with the respective WGC,
 - d) If the external person's activity leads to a threat to the environment or a subsequent threat is imminent, each of the external person's employees must immediately notify responsible employee of WGC thereof,
 - e) Store all materials and wastes of the contractual partner that might represent an environmental threat or a threat to health of people so that they shall not endanger the environment or health of people, and secure them against improper handling, misuse or leakage,
 - f) Operate any equipment that is a source of pollution of environment and its elements only in compliance with applicable legal regulations applicable to environmental protection and internal regulations applicable in the respective WGC,
 - g) Notify, in writing, responsible employee of WGC of any risks inherent in their activities in relation to the environment (such as information about the used type, properties, quantity and location of the controlled substances with regard to the protection of the Earth's ozone layer, chemical substances and chemical mixtures, including oil substances and PCB, radioactive substances, asbestos, etc.) as well as of their preventive actions to mitigate such risks,
 - h) Adhere to the ban on use of chemical substances whose production, import and distribution are prohibited in the Czech Republic. If a contractual partner must use such hazardous substances and mixtures within WGC's premises, the contractual partner is obligated to prove the qualification of their employees to handle such substances,
 - i) Observe the prohibition to pollute the air by combustion of flammable substances and dust, observe the prohibition to discharge used chemical substances, mixtures and liquids into soil and sewerage system. Any accidental leakage of chemical substances, chemical mixtures and liquids in use (time and place of the leakage, substance type and quantity) must be reported by the external person to the responsible employee of the respective WGC,
 - j) Provide for removal of packaging, used chemical substances and mixtures, radioactive substances, household waste etc. produced by the contracted operations, exclusively in compliance with the applicable legal regulations and internal regulations in force in the respective WGC,
 - k) Refrain from contaminating roads and paved surfaces within WGC's premises and prevent damaging the greenery.

VI. Other Obligations of External Persons in WGC's Premises

1. The External person delegating their employees, EU/EEA citizens, foreigners referred to in Section 98 (a) to (e) of Act No. 435/2004 Coll., on employment, as amended, and foreigners – holders of a green or blue card, to any WGC's work site is responsible for fulfilling the information obligation towards the respective regional branch of the Labour Office. In the case that the external person delegates other foreigners to perform the tasks, the external person is responsible that the employees delegated to perform work at WGC's work site hold valid employment permits and residence permits for the territory of the Czech Republic. Before starting the work, WGC's representatives shall submit copies of documents proving the performance of the employer's obligations (i.e. a copy of the Information for Labour Office or a copy of blue card, green card or work permit and residence permit).
2. The external person subcontracting its activities is responsible to WGC for fulfilling the obligations specified under paragraph 1 hereof by the subcontractor.
3. In the case of non-compliance with the obligations arising from paragraphs 1 and 2 of this section, the external person is obliged to pay WGC as a compensation of damage all sanctions (penalties) in full amount that are imposed on WGC for the aforementioned reasons by the state administration authority with the local and subject-matter competence, within 15 days from delivery of a written notice to WGC, which shall include a proof of the amount of damage.
4. In the case of employment mediation, the external person is obliged to have a permit for employment mediation issued by the Labour Office of the Czech Republic. Unless the external person submits the relevant permit, no contract will be concluded with the external person. If, following the conclusion of the contract, any changes occur in the employment mediation permit, or, as the case may be, the permit is revoked, the external person must report such fact to WGC without undue delay
5. In the case that the external person concludes a Contract for Work with WGC pursuant to Act No. 89/2012 Coll., the Civil Code, as amended (Sections 2586 to 2661) with the performance of the subject of the contract at WGC's work sites, the external person ensures the agreed activities at their own risk, is liable for defects in work, assigns tasks to its employees sent to WGC's work site and inspects their work.

6. In the case of providing agency-procured employment, the external person is obliged to submit all valid permits to perform such activity, all requisites having to be in accordance with Act No. 262/2006 Coll., the Labour Code, as amended, and Act No. 435/2004 Coll., the Employment Act, as amended.
7. It is prohibited to take photos and film in WGC's premises without the approved application.

VII. Final Provisions

1. In relation to changes in legal standards and internal regulations binding for WGC as well as in relation to any misconduct of the external persons, their staff and subcontractors performing contracted activity for WGC, these Binding Terms may be subject to change. External person notes and agrees that such change is binding for the external person as of the date the Binding Terms are provably delivered to external person.

Annex 1 – TARIFF LIST OF PENALTIES

Number:	Penalty specification:	Amount:
(1)	Failure to perform or arrange for a provable and adequate OHS, FP and environmental training for all persons working for the external person	CZK 5,000 per person
A. OCCUPATIONAL SAFETY		
(2)	Failure to ensure a provable and adequate health fitness of all persons working for the external person	CZK 5,000 per person
(3)	Failure to provide for a provable and adequate qualification or professional competence of the persons working for the external person (binder, crane operator, driver, welder, technical supervisor etc.)	CZK 5,000 per person
(4)	Failure to remove defects that prevents ensuring OSH	CZK 20,000 per case
(5)	Failure to report an occupational injury of persons working for the external person, fire, leakage of chemical substances or agents, damage to WGC's property or another extraordinary event	CZK 50,000 per case
(6)	Failure to observe the ban on consuming or bringing in alcohol and using other addictive substances, or refusal to undergo a test for alcohol by a person working for the external person	CZK 10,000 per case, and expulsion of such a person from WGC's premises
(7)	Failure to mark the persons working for the external person with the company's logo on the working or protective clothes	CZK 500 per person
(8)	Failure to adhere to the obligation to wear protective helmets and other personal protective equipment	CZK 2,000 per person
(9)	Failure to adhere to the rules governing the erection of scaffolding and suspension bridges, access to scaffolding, uncovered or properly unmarked excavations, excavation walls unsecured with reinforcement in compliance with the applicable legal and other regulations governing OSH or the manufacturer's instructions for use	CZK 20,000 per case
(10)	Failure to meet the requirements of Governmental Decree No. 362/2005 Coll., on work at heights or above an open depth	CZK 20,000 per case
(11)	Failure to adhere to the applicable legal and other OSH regulations or the manufacturer's instructions for operation of the equipment, and especially failure to perform regular checks and revisions of the equipment or operating the equipment for the purposes it is not intended for.	CZK 5,000 per case
(12)	Failure to adhere to the applicable regulations concerning reserved technical equipment	CZK 10,000 per case
(13)	Failure to adhere to safety plates and signs within WGC's premises	CZK 5,000 per case
B. FIRE PROTECTION		
(14)	Violation of Act No. 133/1985 Coll., as amended, Decree No. 246/2001 Coll., as amended, or Decree No. 87/2000 Coll., as amended, laying down fire protection conditions for welding.	CZK 20,000 per case
(15)	Smoking ban violation	CZK 1,000 per case
(16)	Violation of the smoking ban or use of open flames in areas, work sites and facilities with risk of fire and in activities with an increased risk of fire	CZK 5,000 per case
(17)	Blocking the access to emergency exits or roads, to electric power, water or gas distribution devices, or blocking the access to fire safety equipment	CZK 10,000 per case
C. ENVIRONMENT		
(18)	Failure to observe the applicable legal and other regulations governing EP in handling wastes falling within the category of other waste (O) or hazardous waste (H)	CZK 10,000 per case for (O) CZK 20,000 per case for (N)
(19)	Failure to observe the internal regulations applicable in WGC for sorting, storage, transfer and disposal of wastes	CZK 10,000 per case
(20)	Leakage of crude oil and other harmful substances (for example chemicals)	CZK 50,000 per case
(21)	Failure to observe the applicable legal EP regulations when handling chemical substances and mixtures	CZK 10,000 per case
(22)	Failure to observe the applicable water management legal regulations	CZK 20,000 per case
(23)	Failure to observe the applicable air protection legal regulations	CZK 20,000 per case
(24)	Bringing waste or used chemical substances or agents to WGC's premises in order to put them aside	CZK 50,000 per case
(25)	Unauthorised deposition of wastes in containers for sorted waste or solid household waste designated for WGC	CZK 10,000 per case
(26)	Unauthorised storage of materials	CZK 10,000
D. MISCELLANEOUS		
(27)	Photographing and filming in WGC's premises without a granted application	CZK 10,000 per case
(28)	Damage to property or unauthorised use of WGC's equipment	CZK 5,000 per case
(29)	Failure to hand over the completed and signed "External Person's Declaration" form	CZK 50,000
(30)	Failure to submit written information about the risks and adopted measures	CZK 10,000
(31)	Failure to handover complete documentation for the specified products within the meaning of Act No. 22/1997 Coll., and the related governmental decrees.	CZK 100,000 per case
(32)	Violation of other obligations ensuing from these Binding Terms	CZK 10,000 per case

Annex 2 – Declaration by an External Person’s Authorised Representative

I have become familiarised with these Binding Terms and the document Written Information about Risks for External Persons, I have been instructed of the dangers of work in WGC and its operating facilities, including all consequences arising from non-compliance with the applicable legal and other OSH regulations, these Binding Terms and behaviour in WGC according to the applicable rules and policies in the field of OSH, FO and environmental protection.

I undertake to adhere to safety regulations and to observe the applicable safety measures under the current conditions.

I undertake as the locally responsible representative or, where applicable, the authorised representative of the external person, to provably train the employees and other persons entrusted to me within the aforementioned meaning.

On behalf of the external person:

(Business name, registered office, Identification No.)

Responsible representative of the external person:

(Name, signature, date)

Confirmation of making aware the external person’s responsible representative of the applicable internal regulations, including written information on risks and measures taken, specific local conditions and specific risks in the field of OSH, FP and environment (confirmed by the responsible employee of WGC):

Specific regulations applicable to the respective work site:

On behalf of WGC:

(Name, signature, date of training)

*By my signature I give consent to WGC to process personal data in accordance with applicable legal regulations for the purpose of keeping records of the completed training.

Annex 3 – WITKOWITZ Group companies

1. WITKOWITZ, a.s.
Ruská 83/24, Vítkovice, 703 00 Ostrava, Identification No.: 079 93 293
2. WITKOWITZ ENVI a.s.
Ruská 1142/30, Vítkovice, 703 00 Ostrava, Identification No.: 045 28 131
3. Witkowitz Mechanica, a.s.
Pohraniční 3017/11, Vítkovice, 703 00 Ostrava, Identification No.: 075 64 813
4. VÍTKOVICE ENERGETICKÉ STROJÍRENSTVÍ a.s.
Pohraniční 3017/11, Vítkovice, 703 00 Ostrava, Identification No.: 069 77 731
5. VÍTKOVICKÉ STROJÍRNY s. r. o.
Pohraniční 3017/11, Vítkovice, 703 00 Ostrava, Identification No.: 021 47 173
6. GEARWORKS a.s.
Ruská 83/24, Vítkovice, 703 00 Ostrava, Identification No.: 258 77 933
7. VÍTKOVICE HAMMERING a.s.
Ruská 2887/101, Vítkovice, 703 00 Ostrava, Identification No.: 278 07 088