PROCEDURE

of 21 June 2023

Occupational Health and Safety Requirements for Contractors and Visitors

[Subject matter]

§ 1 The Procedure defines the occupational health and safety rules on the premises of Operator Gazociągów Przesyłowych GAZ-SYSTEM S.A. and ensures adequate supervision over the contractors’ and visitors’ compliance with the requirements of occupational health and safety regulations and rules set by GAZ-SYSTEM.

[Definitions]

§ 2. The following terms used in the procedure shall mean:

1) facility administrator – GAZ-SYSTEM employee who is responsible, by virtue of assigned duties, for directing, managing, administering, making decisions and performing other assigned duties relating to a specific facility and premises belonging to GAZ-SYSTEM;

2) information brochure – document provided to the contractor, containing general information on the rules in force on GAZ-SYSTEM's premises;

3) visitors – persons staying on the premises/at the facility belonging to GAZ-SYSTEM who are not GAZ-SYSTEM’s employees, associates, contractors or subcontractors;

4) key investment projects – investments that are included in the Detailed List of Investment Tasks;

5) Company Project Manager – person appointed by the Company to represent the Company to the extent indicated in the Contract;

6) team leader – a nominated person involved in the process of task execution; definition and requirements specified in the operating procedures for the LNG Terminal, Transmission Network Operation System Procedures (SESP), and the Procedure for Hazardous Works Outside the Transmission Network Elements and LNG Terminal, depending on the type of task;

7) OHS supervision – a person who performs supervision over occupational health and safety and has the qualifications and credentials provided for occupational health and safety personnel in accordance with the provisions of the Polish law;

8) person in charge of operation – GAZ-SYSTEM employee who, by virtue of his/her position, is responsible for the operation of the transmission network facilities / LNG Terminal where the work is performed, holding a valid qualification certificate for a supervisory position;

9) contract owner – GAZ-SYSTEM employee appointed in the contract/order to perform the task;

10) hazardous condition – an unsafe condition within the working environment which may, directly or indirectly, lead to a near miss or accident at work;

11) OHS induction training – training conducted by employees of the OHS and Fire Safety Office or a representative of the unit responsible for the operation of the LNG Terminal, as designated by the head of that unit, for all persons entering the LNG Terminal for the first time; the purpose of the training is to provide information on hazards and safety rules applicable on the LNG Terminal premises.

12) contractor – a natural person or a legal entity that has employees with the relevant qualifications/certificates and technical means to perform the work specified in the contracts/orders performed for GAZ-SYSTEM;

13) investor supervision contractor – investor's representative at the construction site, authorized to make decisions on the technical and economic tasks related to a given project within the scope of the design documentation, Construction Law and the construction contract;

14) subcontractor – an individual or a legal entity performing work under contract with the contractor;

15) task – execution of the scope of work covered by the contract or order concluded between GAZ - SYSTEM and the contractor.

[Types of Tasks covered by this Procedure]

§ 3. The following types of tasks have been defined:

1) hazardous gas works, other hazardous works and ancillary works performed in compliance with the Procedure for the Organisation of Work on Energy Equipment No. P.02.O.02;

2) hazardous works performed in compliance with the Procedure for Hazardous Works Outside the Transmission Network Elements and the LNG Terminal;

3) investment tasks carried out on a construction site handed over to the contractor, provided that the works have not been classified as hazardous gas works or hazardous works in accordance with the Procedure for the Organisation of Work on Energy Equipment No. P.02.O.02;

a) where all the works constitute hazardous gas works and/or hazardous works, proceed in accordance with the requirements for the task as referred to in items 1 and 2,

b) where only part of the works constitutes hazardous gas works and/or hazardous works, proceed in accordance with the requirements for the task referred to in items 1 and 2 respectively, for those parts of the works;

4) tasks carried out on the premises of the LNG Terminal in accordance with the Instruction for the Organisation of Operations and Works Carried Out under Conditions of Particular Hazard and in accordance with the internal procedures in force at the LNG Terminal in this respect;

5) other tasks – other works, including deliveries of materials carried out on the premises belonging to GAZ- SYSTEM located outside the transmission network operated by the Company, which are not hazardous work;

6) tasks involving visitors – tasks involving persons staying on the premises/at the facility belonging to GAZ-SYSTEM who do not perform the works referred to in items 1-5 above.

[General requirements]

§ 4. 1. A tenderer in a procurement procedure shall be obliged to attach this procedure to the tender documentation. The obligation to comply with the requirements of the Procedure, with a link to GAZ-SYSTEM website where the procedure has been posted, shall be included in all contracts or documents of the procurement procedure for the performance of the tasks.

2. As appropriate to the type of tasks, the procurement procedure documentation shall be accompanied by the regulations under which the scope of work subject to the contract award procedure is expected to be performed.

3. The procedure applies to the contractor, contractor's employees and other persons acting on behalf of the contractor,

4. Before commencing the works, the contractor shall confirm being familiar with this procedure by completing the statement – its form is attached as Appendix 6 to the procedure. The Appendix shall be signed prior to the performance of the task/contract, and the person supervising the contract performance shall be responsible for collecting the signed statement.

5. The statement referred to in item 4 shall be attached as an appendix to all contracts or other documents relating to the execution of the tasks.

[Contractor's OHS supervision for tasks referred to in § 3 items 1-4].

§ 5. 1 In order to prevent accidents and to maintain safety on the work sites, each Contractor shall appoint occupational health and safety supervision over their employees.

2. For tasks in the area of key investment projects, in order to ensure the above as well as effective communication relating to occupational health and safety during the project execution, the contractor shall, at his own expense, provide permanent occupational health and safety supervision staff throughout the duration of the works.

1) The OHS supervision shall prepare weekly reports in accordance with Appendix 4 to this procedure or as agreed with the OHS and Fire Safety Office. The report shall be submitted to the Company Project Manager and other persons designated by the Company. The weekly OHS report should clearly specify the scope of the inspections performed on each working day, it should include photos confirming the identified non-conformities and confirmation of their correction;

2) The OHS supervision is required to be present at all times on the construction site and at locations where his/her presence is necessary for the performance of the contract, and if it is necessary for him/her to leave the site temporarily, he/she shall appoint a substitute;

3) The fact of the substitution/change is subject to notification by e-mail to the Company Project Manager together with the information on the anticipated duration of his/her absence and the personal details of the substitute (name and surname, certification);

4) When an investor supervision contractor is appointed for tasks related to key investment projects during their implementation, the investor supervision contractor shall, at its own expense and for the entire works duration, provide permanent staff for OHS supervision, which should meet the requirements and have qualifications specified in Appendix 8 to this procedure;

5) The contractor shall be responsible for providing OHS supervision personnel who shall be competent and qualified to take measures, as part of the ongoing works and risk management process, to prevent accidents and mitigate the consequences of such accidents; the detailed requirements and qualifications of OHS supervision and the rules of cooperation with representatives of the OHS and Fire Safety Office are set forth in Appendix 8 to this procedure;

6) The works contractor’s and investor supervision contractor’s OHS supervision personnel shall be responsible for performing the tasks and obligations stipulated in Appendix 8 to this procedure;

7) The OHS and Fire Safety Office participates in the selection process of the investor supervision contractor's permanent OHS supervision personnel:

a) the construction works contractor's permanent OHS supervision should be established a minimum of 14 days prior to the commencement of construction works,

b) the investor supervision contractor’s permanent OHS supervision should be established a minimum of 30 from the date of signing the contract with the Company;

8) The OHS and Fire Safety Office shall give its opinion on the selection or replacement of construction works contractor’s and the investor supervision contractor’s OHS supervision on the basis of the submitted documentation confirming the certificates/licences and qualifications obtained by the abovementioned personnel;

9) The construction works contractor and the investor supervision contractor shall inform the Company Project Manager by e-mail to the address indicated in the Contract and the OHS and Fire Safety Office to [bezpieczenstwo.inwestycji@gaz-system.pl](mailto:bezpieczenstwo.inwestycji@gaz-system.pl) of a change of the representative of the permanent OHS supervision personnel at least 30 calendar days prior to the planned date of the change; in the case of unplanned personnel changes, the HSE Office shall be informed immediately after the change takes place.

3. For tasks other than those related to key investment projects, the function of OHS supervision may be performed by a team leader; the team leader shall have the legally required qualifications related to the nature of the works carried out by the contractor within the scope of the task, the knowledge and skills necessary to organise and carry out these works in a safe manner as well as the health and safety training required for persons in charge of employees.

Training

§ 6. 1. OHS induction training is mandatory for tasks referred to in § 3 item 4).

2. The OHS induction training is mandatory for persons who are not permanently employed at the LNG Terminal.

3. The OHS induction training shall be provided by a representative of the OHS and Fire Safety Office or a representative of the unit responsible for the operation of the LNG Terminal indicated by the head of such unit. After the OHS induction training, the trainees may proceed with their activities at the LNG Terminal.

[OHS trainings]

§ 7. 1. Each contractor shall be required to provide documented general, job related and periodic trainings for their employees and they shall be confirmed by the employees’ signatures.

2. Job related trainings shall be relevant to the nature of the work carried out under the task as well as the machinery, equipment and tools used.

3. The person appointed by the contractor to provide job related instructions must have the relevant qualifications and work experience.

[Safety Standard]

§ 8. 1. In order to ensure high level of work safety, the OHS and Fire Safety Office prepares rules for the safe performance of the contractor's works in the form of a Safety Standard for Hazardous Works (hereinafter: Safety Standard).

2. The Safety Standard is available at the Company website at the address indicated in the contract or procurement documentation for the execution of the task.

3. The solutions for the works safety, personal and collective protective equipment, fire protection and waste management used by the contractor at the site shall not be less stringent than those contained in the Safety Standard.

[Information on hazards]

§ 9. 1. The communication of information on the hazards, depending on the type of tasks performed, shall be carried out in the following manner:

1. in the case of performance of the tasks referred to in § 3 items 5 and 6 by contractors and visitors on the premises of the facility owned by GAZ-SYSTEM, except for the LNG Terminal:

a) at locations where there is a gatehouse, the communication of information on the hazards is carried out by means of an information leaflet handed at that gatehouse during the entry registration – the specimen of the leaflet is attached as Appendix 3 to the procedure,

b) at locations where there is no gatehouse, the communication of information on the hazards is accomplished either verbally or by handing an information document containing, at a minimum: information on the hazards present, the evacuation plan and emergency phones numbers; the head of the organizational unit or his designee is obliged to communicate the hazards;

2) notwithstanding item 1, in the case of performance of tasks referred to in § 3 items 5 and 6 by contractors and visitors to a process area other than the LNG Terminal, the provision of information on the hazards takes the form of the supplemented Safety Information attached as Appendix 5; the obligation to familiarize the contractors or visitors with the hazards rests with the Company representative who is the guide for the contractors or visitors, including the person supervising the performance of the contract;

3) in the case of performance of tasks referred to in § 3 items 5 and 6 by contractors and visitors on the LNG Terminal premises, the communication of information on hazards takes the form of the OHS induction training;

4) in the case of tasks performed on the basis of a written work order, the communication of information on the hazards is carried out by the persons specified in the work order.

2. Leaflets and information documents referred to in § 9. 1. item 1)

1) in the case of buildings housing the branch offices, compressor stations, offices of field operation units or field outposts, shall be provided by the head of the relevant organizational unit in cooperation with an employee of the OHS and Fire Safety Office;

2) in the cases not mentioned above, by the Director of the Administration Division in cooperation with an employee of the OHS and Fire Safety Office;

[Information brochure]

§ 10. 1. General information on the rules in force at GAZ-SYSTEM is contained in the Information Brochure attached as Appendix 7 to the procedure.

2. The information brochure is required for:

1) written work orders for hazardous gas works, hazardous works and ancillary works performed by contractors in compliance with the Procedure for the Organisation of Work on Energy Equipment No. P.02.O.02;

2) written work orders for hazardous works performed by contractors in compliance with the Procedure for Hazardous Works Outside the Transmission Network Elements and the LNG Terminal;

3) permits for works performed by the contractors in compliance with the Organisation of Operations and Works Carried Out under Conditions of Particular Hazard.

3. The contractor shall confirm the fact of receipt of the Information Brochure by affixing the appropriate signature at the end of the brochure.

4. The person in charge of the team shall be obliged to communicate the information contained in the Information Brochure to all persons performing the task.

5. The contractor shall attach the signed Information Brochure to the documentation accompanying the written work order.

[Reporting incidents]

§ 11. Reporting work accidents, near misses, fire hazards and other safety incidents (hereinafter: "incidents") is mandatory for all tasks indicated in §3. The obligation to report incidents is mandatory and applies to contractors’ and subcontractors’ employees.

[Incidents referred to in § 3 items 1-4]

§ 12. 1. If an incident takes place during the performance of tasks referred to in § 3 items 1-4, the contractor shall, by means of wireless communication, immediately report the fact to:

1) the person in charge of operation/ facility administrator / person in charge listed in the contract/order/Company Project Manager;

2) the email address of the OHS and Fire Safety Office ( bezpieczenstwo.inwestycji@gaz-system.pl ) and to the employee of the OHS and Fire Safety Office at the Head Office/Branch Office/LNG Terminal, as applicable to the location of the task performance.

2. On the day of the incident or the next day, the contractor shall send by electronic means the completed Part I – Preliminary Information, in accordance with Appendix 2 to the procedure. The information on the incident shall be sent to the persons indicated in 1.1) and 2) above.

3. The contractor is obliged to determine the circumstances and causes of the incidents suffered by its employees.

4. The notification of the incident must be supplemented by sending – after the conclusion of the investigation and clarification of the causes and circumstances of the incident – the completed Part II – Supplementary Information, in accordance with Appendix 2 to the procedure.

5. After the investigation is concluded, in the case of collective, serious and fatal incidents, the contractor and/or subcontractor is obliged to submit the accident documentation to the Management Board Representative for Health and Safety. At the request of the Management Board Representative for Health and Safety or other person authorized by him/her, the accident documentation must be submitted also for other incidents.

[Incidents referred to in § 3 items 5-6]

§ 13. 1. If an incident takes place during the performance of tasks referred to in § 3 items 5-6, follow the instructions contained in the safety information, the specimen of which is attached as Appendix 3 to the procedure.

2. At locations where information leaflets are not issued, in the event of an incident, persons carrying out work under tasks referred to in § 3 items 5-6 are required to act in accordance with the information provided by the Facility Manager.

3. If an incident takes place during the performance of tasks referred to in § 3 items 5-6 on the gas facilities, follow the instructions contained in the Safety Information, the specimen of which is attached as Appendix 5 to the procedure.

[Penalties for non-compliance with occupational health and safety rules]

§ 14.1. The following requirement applies to tasks referred to in § 3.

2. During the performance of the works, all requirements/rules contained in contracts or procurement procedure documentation between the contractor and the Company, with particular regard to applicable laws, including the provisions of this procedure and the rules outlined in the safety standard, shall apply. The contractor is obliged to apply them and conduct the works in compliance with the above.

3. In the event of non-compliance with the applicable OHS and fire safety regulations and rules by contractors or their subcontractors, an employee of the OHS and Fire Safety Office or OHS supervision shall have the right to request the imposition of penalties based on the Penalty Schedule attached as Appendix 1 to the procedure.

4. The request for the application of penalties shall be addressed to the Company Project Manager, and if no Project Manager has been appointed, to the person responsible for the performance of the contract on the Company side. The request must be accompanied by written information and appropriate documentation showing the occurrence of irregularities, including photo documentation, which is the basis for imposing a penalty in accordance with the Penalty Schedule.

5. Signing of the statement by the contractor, the form of which is provided in Appendix 6 to the procedure, constitutes confirmation of the contractor's awareness of the procedure.

6. The Penalty Schedule shall be attached as an appendix to each contract or other documents related to the performance of tasks.

7. With regard to penalties from the Penalty Schedule, they should be treated as contractual penalties and in the event of occurrence the procedure appropriate for contractual penalties shall apply.

[Appendices]

§ 15. The Appendices hereto constitute an integral part of the procedure:

1) Appendix 1 – Penalty Schedule

2) Appendix 2 – Incident Information – form

3) Appendix 3 – Information Leaflet

4) Appendix 4 – Weekly OHS report from tasks related to key investment projects – form

5) Appendix 5 – Safety Information for Visitors

6) Appendix 6 – Contractor’s Statement – form

7) Appendix 7 – Information Brochure for Contractors

8) Appendix 8 – Permanent OHS Personnel – list of requirements and responsibilities for construction works contractor’s and investor supervision contractor’s OHS supervision

[Expiration of the existing regulation]

§ 16. Guidelines on Occupational Health and Safety Requirements for Contractors and Visitors [PE-EK-W01] are repealed.

[Final Provisions]

§ 17. The procedure shall become effective on July 21, 2023.

§ 18. Transitional provisions:

1. The regulations currently in force shall apply to contract award procedures initiated before the date of entry into force of this regulation.

2. The existing regulations shall apply to competitive proceedings, procedures conducted to conclude framework agreements and proceedings conducted to exercise framework agreements.

3. To the contracts concluded as a result of the proceedings referred to in items 1 and 2 above, the existing regulations shall apply.

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signature[[1]](#footnote-2)

1. Pursuant to § 4.1(2) of the Regulations on the Management of the System of Internal Regulations, the regulation shall be signed by the regulation owner [↑](#footnote-ref-2)