

1.0 Goal

This policy document aims to establish the specific policies of Enecogen V.O.F. (hereinafter referred to as Enecogen) concerning outsourcing and collaborating with third parties. The document also serves to enable Construction Companies, Service Providers, and Suppliers (hereinafter referred to as Contractor) to inform themselves about the rules for supplying services, goods and/or materials to Enecogen.

2.0 Scope

This document is applicable to all services, in particular work to be carried out, commissioned by Enecogen and delivered by third parties.

3.0 References

Working Conditions Act
Health and Safety Decree
Working Conditions Regulation
Working Conditions Policy Rules
Health and Safety Catalogue Production and Supply Companies
Working Hours Act
Enecogen Safety Procedures

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5.0 Definitions and Abbreviations

A1/E-101

European form. Required for non-national persons (Service Providers, Construction Companies, Subcontractors) from outside the European Union, in evidence of compliance with relevant insurance legislation.

Access Badge

Electronic badge used to register arrival and departure times, issued for a predetermined period.

ATP (VOP - Voldoende onderricht persoon)

Adequately trained person to execute simple predetermined electronic switching actions.

Blocked Account (G-rekening)

Blocked account into which 50% of the wage component is deposited pursuant to the Dutch Sequential Liability Act (*Wet ketenaansprakelijkheid - WKA*).

Contractor

Company commissioned by Enecogen to execute work and/or supply materials.

Hot Work

Hot work denotes any type of work activity that will potentially generate sufficient levels of energy to cause a fire and/or an explosion.

Principal

Natural or legal person (in this case Enecogen) commissioning a work/project to the Contractor.

Safety Card

Card stating the local alarm number and specific company rules.

Safety Passport

Document listing the holder's diploma's and certifications in the field of safety training and professional competence.

Service Provider

Person providing services to Enecogen, and with whom the Purchase Department has concluded an agreement.

Site Safety Instruction

Online safety instruction film outlining general rules for working in a safe and environmentally responsible way, available via www.enecogen.nl/safety

Subcontractor

Company commissioned by the Contractor to execute work or parts thereof and/or supply materials to Enecogen.

Supplier

Person who has been designated (in writing) as the direct representative of the Supplier.

Third Party

Natural person or organisation not bound to Enecogen by an employment contract, who hasn't been hired by Enecogen or one of its Contractors.

TRA

Task Risk Analysis

VCA/VCU

VGM Checklist Construction Companies/VGM Checklist Staffing and Outsourcing Agencies.

Visitor

Person incidentally entering an Enecogen site for the purpose of a visit.

Visitor's Pass

Access pass for temporary use by a visitor.

Written Work Permit

A written work permit is a statement in writing, signed by authorised officers, to declare that permission has been granted to execute specified work activities at or inside Enecogen factories or installations.

6.0 General Conditions

Enecogen will preferably conduct business with Contractors in possession of certified quality, environmental, and/or health and safety management systems such as ISO 9001, ISO 14001 and/or OHSAS 18001. Furthermore, companies should preferably make their mark in the field of Corporate Social Responsibility (CSR), with demonstrable efforts being made concerning sustainability, respecting human rights, and the exclusion of child labour.

Enecogen will only conduct business with staffing and outsourcing agencies with a valid contracting-out certificate and VCU certification.

Besides the applicable General Purchasing Conditions as registered with the Chamber of Commerce in Rotterdam, Enecogen safety procedures and instructions which are not included in this manual are also part of the obligations to be fulfilled by Contractors. Prior to starting the work, the Contractor must always check if the work to be performed is subject to safety procedures or instructions, and assess to which extent adjustment of regular working methods is called for.

The safety procedures and instructions are part of the Enecogen quality system and can be made available to the Contractor upon request.

6.1 Confidentiality

The Contractor shall observe full secrecy concerning any information, plans, or business activities of Enecogen, obtained as part of the work.

The Contractor shall not copy or disclose any drawings or other documents concerning the work, without having obtained prior written consent from the Enecogen contact person, to third parties. Enecogen will only authorise such activities if deemed necessary for the proper execution of the work or if required by compulsory statutory provisions. These materials will remain the property of Enecogen and must be returned, together with any copies made, to Enecogen upon delivery or completion of the work.

Without the express consent of the General Manager, publications in trade journals, newspapers, weekly or monthly magazines etc. on the work executed or commissioned, taking photographs and/or making video recordings is not permitted. The Contractor will vouch that this requirement will also be observed by its personnel and the personnel of any subcontractors.

6.2 *Supremacy Clauses*

The Enecogen rules as stated in this document do not assert to be complete. They provide an overview of the primary aspects and are not in lieu of any provisions under applicable laws and regulations, unless they are more stringent than such provisions.

In as far as they are relevant and not in violation with the Enecogen safety and working rules stated in this document, the following Enecogen safety procedures are also applicable, as if they were part of this document.

In the event of contradiction, the following order of prevalence shall apply:

1. Dutch legislation and regulations;
2. Policy document Outsourcing and Collaborating with Third Parties;
3. Procedures in force on site.

Contractors may refer to the Enecogen contact person to obtain more detailed information.

6.3 *Enecogen Contact Person*

For each job, Enecogen will appoint a specific contact person. If the Contractor has not (yet) been informed of a name, they should explicitly request to be given such a name.

6.4 *Responsibilities, Liability, and Damage Claims*

The Contractor is liable to ensure that their personnel and the personnel of subcontractors are aware of and comply with the procedures and work regulations described in this handbook.

Contractors tasked with work are fully responsible for the correct and safe execution thereof and must inform themselves prior to commencement of the work of the applicable Enecogen procedures. Non-compliance will lead to immediate removal from the site.

The Contractor is liable for any damages caused by their personnel or subcontractor's personnel due to non-observance of the procedures and/or applicable legal provisions.

Delays in the work due to evacuation in case of fire, gas alarm or emergency response plan drills are, within the framework of this agreement, regarded as force majeure on the part of Enecogen. Contractor cannot bill Enecogen for such hours should this result in waiting hours.

The Contractor shall indemnify Enecogen against any claims for compensation by third parties, resulting from unsafe actions or negligence on the part of Contractor, their employees or subcontractors' employees. The applicable Enecogen safety procedures may be altered and/or amended by Enecogen at any time. The Contractor must subsequently observe the altered procedures.

7.0 Employment of (Temporary) Staff

The Contractor shall not allow persons under the age of 18 to perform work for Enecogen, unless specifically agreed otherwise in writing in case of apprenticeships. The guiding principle is that the applicable statutory provisions concerning the employment of workers must be observed in the employment process.

7.1 Subcontracting

For security, efficiency, and quality reasons, Enecogen is committed to limit the number of Contractors and Subcontractors on its sites. Only one tier of subcontracting is permitted, unless clear agreements on derogations have been made with the Principal.

In the case of subcontracting, Enecogen reserves the right to compel Contractors to have any work concerning scaffolding construction, mobile cranes, mechanical engineering, isolation, electrotechnical, and/or civil and hydraulic engineering performed by companies with which Enecogen has concluded a (framework) contract.

Subcontractors to be used shall be specified by the Contractor to Enecogen in advance and are subject to Enecogen's consent. The Purchasing department can be contacted for additional information on Enecogen's contracted companies.

7.2 Employment of Foreign Employees

Contractors intending to employ non-national employees must comply with applicable national legislative and regulatory requirements. Foreign employees must be in possession of a valid combined work and residence permit (*gecombineerde vergunning voor verblijf en arbeid - GVVA*), work permit (*tewerkstellingsvergunning - twv*), or residence permit (*verblijfsvergunning*), subject to the directives of the Dutch government (www.overheid.nl).

Furthermore, Contractor must ensure that efficient communication in the Dutch, English and/or German languages is possible. Employees unable to communicate in one of these languages will be removed from the site.

Foreign employees, for whom the above provisions are not demonstrably met, are prohibited from being employed at Enecogen. Resultant costs cannot be recovered from Enecogen. Costs incurred by Enecogen resulting from non-compliance with the liability will be recouped from the Contractor.

8.0 Training Requirement

Safety Management Systems, Trainings and Measures provide an unmistakable contribution towards improving safety levels within companies. Besides certification of the organisation, Enecogen also requires that all Contractor's employees have a sufficient training level.

The Contractor is not permitted to have employees without the required professional and safety trainings execute work at factories, installations, and/or work sites, where the requirements specified below serve as a minimum level.

8.1 **Basic Safety Certificate** (*VCA - basisveiligheid*)

Contractor's workers must be in possession of the VCA Basic Safety Certificate (or a foreign equivalent). This requirement can be waived, provided a written request has been approved by the General Manager for:

- Persons exclusively performing administrative work and who do not perform or come into contact with high-risk activities, dangerous substances, machines, and/or other equipment.
- Commissioners, systems specialists, analysis specialists, or foreign specialists of specialised companies, performing tasks in a single instance for the duration of one or several days, under the direct supervision of one of Enecogen's or the Contractor's certified employees.

8.2 **Safety for Operational Managers Certificate** (*VOL - Veiligheid voor Operationeel Leidinggevenden*)

Contractor's management personnel from the level of working foreman upwards, tasked with supervising workers must be in possession of the Safety for Operational Managers Certificate.

8.3 **Hazardous Work Trainings**

Depending on the nature of the work to be done, employees are expected to have a training level befitting the specific type of hazardous work to be performed. This may include (but is not limited to) training requirements prescribed in the SSVV training guidebook (<http://www.vcainfra.nl/ssvv-opleidingengids/risicovolletaak-per-onderwerp/>)

Contractor is expected to have sufficiently and demonstrably trained all relevant employees, based on a prior risk analysis carried out by Contractor.

8.4 **Safety Passport** (*veiligheidspaspoort*)

Contractors are expected to be able to produce documentation specifying the training followed by staff members employed at Enecogen. One such means is the so-called Safety Passport, which provides proof of the safety and competence related diplomas and certificates of the holder.

9.0 Site Access

Access to the site by Contractor's staff is restricted to the designated site entrance. Upon entering and/or leaving sites without automated access registration systems, employees must at all times register or sign out respectively in conformity with site regulations. At Enecogen production sites with automated access registration systems, access will be granted upon presentation of a valid access badge. The application procedure for access badges is outlined in paragraph 9.1 below.

9.1 Application for Access Badge

The Enecogen reception desk is open between 07.15 and 12.15 hrs. Outside opening hours, the control room will take over reception tasks. Construction companies/workers with permanent badges will be able to access the site after 07.15 hrs. (New) Construction companies/workers without a badge may report to the reception desk after 07.15 hrs, the control room will not grant them access to the site before 07.15 hrs. This also applies to vehicles allowed on site – access is restricted to vehicles for which the vehicle registration process has been completed at the reception desk.

To apply for access badges and parking permits, the Contractor must submit an application via the Enecogen contact person. Note that registrations should be processed between 7.15-12.15 hrs prior to commencement of the work in order to avoid waiting times at the reception desk.

Applications must be submitted to the reception desk (visitors@enecogen.nl) at least 24 hours prior to commencement of the work, with the following attachments:

- Valid proof of identity (passport, drivers licence, or identity card);
- Copy of a valid VCA;
- Valid site safety instruction(s) (<https://enecogen.explainsafe.nl/nl>)
- For non-nationals, the rules as specified in 7.2 are additionally applicable.

Timely submission of the above-mentioned documents will prevent unnecessary delays. The access badge will be handed over after identification with original proof of identity and compliance with the mandatory Enecogen site safety instructions. This is registered in the Construction company/worker's safety booklet and digitally recorded at the Enecogen reception desk.

Access badges are used to operate turnstiles and/or open doors. Additionally, automated time registration is performed.

Issued access badges are personal and it is not permitted to pass access badges on to another person. In addition to possible consequences for the Contractor, improper use of access badges will result in immediate seizure of the badge and removal of the person(s) involved from the site. The Contractor will be responsible for any consequences to the work or otherwise.

Contractor is responsible for access badges provided to their personnel and subcontractor's personnel. Contractor is also responsible for the correct administrative processing of their staff and Subcontractor's staff.

Upon completion of the work, access badges must be deposited in the red mail box outside the turnstile. A sum of € 45 will be charged to the Contractor for each access badge that is not returned and/or is returned damaged.

In the event that one of Contractor's staff members has forgotten their access badge, a visitor pass can be issued for the duration of one working day. To this end, the person involved must provide valid proof of identity.

9.2 Visitors

Private visitors of Contractor's employees will not be granted access to the site. Access of business visitors of Enecogen or the Contractor is only permitted if notice has been given to the reception desk in advance. As a rule, Contractors are only allowed to receive visitors at their specific work site, subject to permission from the control room. Access will not be granted if the Contractor's official is not present. At no time will visitors be allowed to be present at any location on the Enecogen site without being accompanied by a representative of the Contractor.

9.3 Parking of Vehicles

Cars, company vans, motorbikes, scooters/mopeds, and bikes must be parked/stored in the respective designated areas. Parking/stowing a means of transportation is done at your own risk. Parking/storing is prohibited in locations and/or sites reserved for Enecogen employees, disabled parking spots, and/or visitor parking spots.

9.4 Parking of Commercial Vehicles

As a rule, only vehicles necessary for the execution of the work (transportation of materials/equipment) will be allowed on site, to which end a parking ticket will be issued. Access can only be granted if an application has been submitted in a timely fashion and if this is included in the work permit or if the Principal has consented to this.

The driver may request a parking ticket at the reception desk. This ticket must be returned together with the pass after completion of the work by depositing it in the red mail box next to the turnstile. In all other situations, commercial vehicles must be parked in the designated parking place after loading or unloading.

9.5 On Site Delivery of Large Equipment and Materials

Delivery of large equipment (mobile cranes, heavy transport) must be announced at the reception desk and to the Enecogen contact person at least 24 hours in advance. Valid inspection labels must be present on the equipment in question.

In case of delivery of large equipment, the Enecogen contact person must be informed of the route schedule in advance. This schedule should be handed over to the receptionist at the access gate. Deviations from the indicated route are not permitted. Unloading of materials and/or parts is restricted to the designated storage locations. Vehicles must be removed from the site immediately after the cargo has been unloaded.

9.6 Transport of Waste, Goods, and Materials

Removal of goods and materials which are property of Enecogen is considered theft and offending persons will be immediately banned from the premises. Where applicable, a report will be made with the police.

If the Contractor has been explicitly tasked with removing materials, goods, and/or waste, the applicable procedure Disposal of Goods (*Afvoer van goederen*) must be followed.

9.7 Checks

Enecogen employees are authorized to perform checks on persons and vehicles prior to accessing or leaving the site. Refusal to comply will be reported to the project leader and the person in question will be denied further access to the site.

10.0 Safety Rules and Rules of Conduct

Contractor will take any work-related precautions to prevent accidents, damage, and/or environmental consequences. Observance of the Enecogen safety procedures and legal requirements is never noncommittal. Contractor should, once they have been made aware of an unsafe and/or undesirable situation, ensure that this is mediated immediately in as far as this is relevant for the agreement with Enecogen. Unsafe and/or undesirable situations must be reported to the Enecogen contact person without delay.

Besides the general VGM rules for executing work at the Enecogen site, which have been made available via the site safety instruction and which can be requested from the contact person or the Enecogen reception desk, Enecogen has drafted the following safety rules and rules of conduct for its Contractors.

Enecogen employees are entitled, should they observe a deviation from the rules or the creation of an unsafe situation and/or unsafe working method, to obligate the Contractor to immediately correct such an instance, at a time interval determined by Enecogen. Enecogen reserves the right to stop the work as the situation may arise without any right of compensation.

10.1 Work Site

The Contractor and the Contractor's staff are prohibited from entering locations on site other than the designated area for carrying out the work. Failure to comply may result in removal from the site.

10.2 Work Equipment, Power Tools, and Electrical Machines

Work equipment includes any devices, machines, implements, and tools used at the work site. Work equipment to be used on site must be restricted to well-maintained and demonstrably tested materials.

It is not permitted to use work equipment that is broken and/or damaged and such materials must be removed from the work site without delay.

10.3 Good Housekeeping

The Contractor must ensure on a daily basis that the work site and temporary accommodation are kept in an orderly and tidy fashion. If this requirement is not met, Principal will arrange to have the site or accommodation in question tidied up and the costs will be charged to the Contractor.

10.4 Theft and Damage

Enecogen accepts no liability whatsoever for loss of Contractor's properties or the properties of their personnel. In the event of theft or damage, Contractor must report this to the receptionist and the Enecogen contact person. Contractor will subsequently draft a report concerning the theft or damage. In the event of theft, Contractor is also obligated to file a report with the police.

10.5 Entering Installations

Contractors are obliged to report to the Permit Office prior to entering the installation. When leaving the work site, staff members must always sign out. The factory site shall only be entered with the proper personal protective equipment, such as (work) trousers, long-sleeved shirt, helmet, and safety goggles.

10.6 Work Permits

Consent of the Site Supervisor is a solid requirement for executing work at operational locations. The work can only be commenced by the Contractor if a valid work permit has been issued and obtained.

Possession of a work permit does not exempt the Contractor from the responsibility to execute the work in a safe manner, regardless if the measures to be taken have been extensively or correctly specified in the work permit. The application for work permits is reserved to persons authorised by Enecogen.

10.7 Task Risk Analysis (TRA)

When the occasion arises, Enecogen may demand that the Contractor draft a detailed work plan with an accompanying Task Risk Analysis (TRA). This is subject to approval by the Enecogen contact person.

10.8 Daily Safety Instruction/Start Work Instruction

The Contractor's manager must instruct their employees on a daily basis prior to commencement of the work concerning safety measures to be taken, compliance with work permit requirements, and discussing the TRA if one has been drafted.

10.9 Safety Contact Person

Contractors performing work on the site shall designate their own safety contact person. If the number of Contractor employees (including subcontractor's personnel) working concurrently at one or multiple projects exceeds a total of 50, then an appropriately qualified safety official (MVK/HVK or equivalent) must be present at the work site.

In addition to the above, Enecogen reserves the right to demand that the Contractor ensures that a fulltime Safety Specialist is present at the work location (regardless of the number of employees), if this is called for due to the nature of the work and/or if the Contractor has not met the requirements of safety and good housekeeping. Any costs incurred as a result of this will be at the Contractor's expense.

10.10 Work and Rest Times

Generally, the work will be executed between 07.15 and 19.00 hrs. Contractor must ensure that the Dutch Working Hours Act is observed as far as work times for personnel (and subcontractors' personnel) are concerned. We expect the employer to keep adequate time registration. In the case of foreseeable overtime or during projects, an overview of the registered hours must be submitted to the Enecogen contact person. During Labour Inspection checks, the list will be presented to the Inspector.

10.11 Overtime and/or Shifts

Overtime and/or working in shifts is only allowed in case of incidental events and unforeseen circumstances. If work is to be carried out outside of the specified daytime working hours, Contractor must always obtain permission from the Enecogen contact person.

Overtime is only acceptable provided that the relevant registration list has been signed for approval by the Enecogen contact person.

It must be emphasized that no overtime shall be executed on site without permission of the Enecogen contact person. Personnel wishing to enter the site after daytime working hours and/or in the weekends, will only be allowed on site by the control room if the Enecogen contact person was informed in advance or if the access pass has been set up to accept this.

10.12 Canteens, Shower and/or Changing Rooms

Unless agreed otherwise, Contractor will arrange for any necessary facilities such as canteens, shower and/or changing rooms. As a rule, Enecogen facilities are not available to Contractor staff.

During major maintenance activities, Enecogen will provide accommodations for Contractor's employees in the form of a so-called Portacabin that must be used. Once again, the Contractor will be responsible for maintaining good housekeeping practices!

10.13 Safety Rounds

Safety rounds are conducted at Enecogen in order to foster the safety awareness of line managers and workers. Whenever appropriate, the Contractor's manager will be requested to take part in such safety rounds.

Contractor is required to ensure that the responsible manager on site checks the work site on a daily basis for unsafe actions and/or situations, good housekeeping, and compliance with the applicable safety rules. Should they observe a situation that is not

in conformity with the applicable requirements, then the work must be stopped until an acceptable situation has been restored. If the work cannot be stopped, the situation shall immediately be reported to the Enecogen contact person to discuss remediating actions.

10.14 VGM Plan

Before the construction or revision project is started, the Contractor will, based on Enecogen's VGM plan, draft a specific VGM plan for the execution phase. The Contractor's VGM plan must be approved by the Enecogen contact person and additionally by the Enecogen-appointed VGM official. The approved VGM plan is also applicable to any subcontractors and suppliers of the Contractor.

11.0 Incidents and Calamities

Contractors and their employees are expected to report incidents and unsafe situations during the work at or for Enecogen to the contact person. The contact person will draft a so-called finding and initiate further actions.

In case of calamities, all staff members are expected to follow the directions of Enecogen personnel, for instance during an evacuation.

12.0 Environmental Regulations

In the performance of their duties, Contractors may cause a direct or indirect contribution to Enecogen's environmental impact. Therefore, Contractors must meet the following requirements:

- Any equipment used must meet applicable environmental regulations;
- Damage to the environment (for instance air pollution, waste water discharge, soil pollution, odour and noise nuisance) must be prevented and is only allowed with the express consent of Enecogen. Incidents must be reported immediately and the work must be stopped (if possible);
- Whenever possible, Contractor should continuously strive to minimize the environmental impact of their activities;
- Prior to and during the work, Contractor must stay informed of relevant and applicable legislation and regulations and the rules incorporated in Enecogen's permit. Report to the Enecogen contact person for further details;
- Tenders of the Contractor need to take direct and indirect environmental impact into account, and whenever this is possible, Contractor should offer environmentally conscious alternatives;
- The Contractor must ensure separate storage of the waste created as a result of their activities in suitable containers/skips;
- Contact the Enecogen contact person for the placement of containers/skips not provided by Enecogen, for instance for the disposal of created waste and rubble, scrap, and/or polluted soil.

13.0 Placement of Temporary Accommodations

Temporary accommodations are frequently used on industrial sites for organisational and execution purposes of construction, maintenance, tamping, and/or demolition work. The construction, placement, layout, and the use of temporary accommodations is subject to legal requirements in conformity with the Dutch Building Decree (*Bouwbesluit*) and local operating rules.

Temporary accommodations are structures or facilities which are placed on site for a specific duration and include site huts, Portacabins, crew wagons, Romney buildings, tents, canteens, shower and/or changing accommodations.

Permission for the placement of such temporary accommodations will be granted by the Production Manager exclusively. To this end, a request must be submitted in writing via the Enecogen contact person.

The placement of temporary accommodations within the Europoort-Botlek area is subject to specific rules. Refer to the brochure "Richtlijnen tijdelijke accommodaties" (*Guidelines for Temporary Accommodations*) published by Deltalinqs.

14.0 Appendices

none

15.0 Revisions since the Previous Version

Replaces the Contractors' Handbook (*Handboek Aannemers*)