

BREAKDOWN OF DUTIES

Legal basis:

- Art.121(3) of the Law of 09 June 2011 "Geological and Mining Law" (Journal of Laws No. 163, item 981, as amended),
- Regulation of the Minister of Economy of 08 April 2013 on Detailed Requirements for Operation of Open Pit Mining Plant (Journal of Laws of 2013, item 1008).

The following are established to ensure safe performance the established scope of work:

1. Any work performed shall be supervised and oversight by the Contractors through their own staff, and by CEMEX in accordance with the mining plant's organizational chart.
2. The following breakdown of duties is established to ensure safe working conditions and coordination of work:
 - while present on the mining plant premises, employees of the Contractor shall be supervised by the person responsible for mining operations in CEMEX during the production shift (assigned by the Mining Plant Maintenance Manager – KRZG),
 - the Contractor shall be responsible for the proper arrangement and ensuring of safe working conditions at the place of contracted work,
 - CEMEX shall be responsible for securing the place against hazards that may occur during operations of the mining plant.
3. Persons responsible for management and supervision shall work with each other on a regular basis in respect of:
 - safe methods for performing contracted work,
 - derogation from the adopted method and scope of performed work.
4. The Contractor's management shall be represented by: Mr.....
CEMEX shall be represented by: Mining Plant Maintenance Manager.
5. Before the beginning of work performed at the mining plant, employees of the Contractor shall be trained by:
 - The Plant's Mining supervision in the area of:
 - * occupational health and safety applicable in the mining plant,
 - * fire safety regulations,
 - * organisation of work, including the obligations before and after completion of work, the principles of work coordination and the scope of responsibilities,
 - * health protection – the obligation to apply and use workwear and personal protective equipment,
 - * prevention of occupational risks, including risk assessment at workplace and preventive measures,
 - * necessary work instructions to perform work safely,
 - * in-house regulations,
 - * operations plan – to the necessary extent,
 - * procedure when explosives are found,
 - * rules of in-house operations,
 - * safety documents,
 - * work order and discipline, general OHS regulations,
 - * rules for safe operations and existing risks (regarding means of transport, power and

CEMEX Polska Sp. z o.o.

z siedzibą w Warszawie, adres: ul. Krakowiaków 46, 02-255 Warszawa, tel. +48 (22) 57 14 100, fax +48 (22) 571 41 01
Organ rejestrowy: Sąd Rejonowy dla m.st. Warszawy w Warszawie, XIII Wydział Gospodarczy KRS, KRS 0000037375,
Regon 012192639, NIP 951-14-96-432, Kapitał zakładowy 314 268 600,00 zł



mechanical equipment and others).

- Supervision of the Contractor with regard to the safe performance of the scope of work on a regular basis.

The mining supervisors shall be immediately notified in the case of a risk to human health and life.

6. The Contractor must immediately report each accident to the nearest person responsible for supervision of operations at the mining plant.
7. It is forbidden to fill or change oil on the mining plant premises due to the existence of nearby open water reservoirs. If a leak of petroleum products in a vehicle is detected:
 - secure the place of incident to prevent ground contamination,
 - immediately report the event to mining supervisors and follow their instructions.
8. Machinery and equipment (vehicles) used to perform contracted work must be in good technical condition, which should be documented by a current entry in the registration card.
9. CEMEX must enable the Contractor to organise work in a way that ensures safe and healthy working conditions and health protection for his employees.
10. In addition, the Contractor's obligations include:
 - performance of contracted work in accordance with approved operation and maintenance documents, and rules of mining technology,
 - stop work in part or in whole in the event of a threat to human life and health, environmental emergencies or threats to safety of the mining plant,
 - compliance with the rules governing the mining plant operations and the general OHS requirements.
11. Employees of the Contractor who perform their tasks within the mining plant operations shall bear the responsibility provided for in Article. 181, Art. 1184 and 185 of the Geological and Mining Law. According to Art. 189 of the Law, adjudication on the matters referred to in the cited articles shall follow the principles and procedures set out in the code of conduct in cases of offences.
12. If the Contractor fails to comply with the rules and discipline applicable in the mining plant, he shall be immediately removed from the plant, and the agreement shall be terminated with immediate effect for reasons attributable to the Contractor.
13. The Contractor must not bring a Subcontractor to the mining plant premises without prior arrangement with the Mine Management and preparation of the breakdown of duties for the Subcontractor.
14. The Contractor agrees to provide the persons responsible for supervising the mining operations with the documents regarding: list of staff, permission to perform work, medical examinations, qualifications, and licenses, scope of activity, work instructions and certificates of completion of recurrent training by all employees who perform work or are present on the mining plant premises. The Contractor also agrees to provide the persons responsible for supervising the mining operations with a list of equipment used at the mine, a document confirming the technical condition of machinery and equipment, permission for operation of machinery or equipment, a machine log-book for annotations regarding technical condition of the machine or equipment and safety at work entered by the machine's operator or the person supervising the production shift.

Appendix – *"Organisational Structure of the Mining Plant, including the Description of Operations Management and Supervision Jobs"*.

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