**Record of Agreement**

**on the provision of health and safety at work when performing activities at Kozloduy NPP EAD off-site facilities**

**RECORD OF AGREEMENT**

**on the provision of health and safety at work**

for activities under contract/procurement No. ................. / 20.....

between Kozloduy NPP EAD and ......................................................

*(fill in name of the Contractor)*

with subject “…………………………………………………………………………..”

(*fill in the activity)*

**No……………/…………………**

**І. GENERAL**

1. This agreement shall define the requirements and obligations which the Parties agree to meet to ensure health and safety at work for the personnel hired by the Contractor as well as life and safety of other individuals in the area of the activity performed at the Contracting Authority’s sites.

2. The Contractor under the contract for work assignment is an external company (external organisation) within the meaning of the Rules of Procedure for Health and Safety at Work , and its manager is the employer of the corresponding external, in relation to the Contracting Authority, personnel.

3. The health and safety at work rules and other regulations applicable to the Contracting Authority’s activity, shall be equally mandatory to both contract parties when performing all types of work and activities at the Contracting Authority’s sites.

4. The officials on the part of the Contracting Authority and the Contractor who supervise and manage the work processes shall be responsible for ensuring of safe work conditions for the works and activities under their supervision, including the provision of the necessary documentation (protocols, procedures, etc. in accordance with the requirements of the normative acts and the documents in force of the Contractor’s management system). They shall immediately inform each other about all hazards and harmful effects.

5. The Contracting Authority, through the site manager of the Contracting Authority (i.e. the head of the administrative unit on whose territory the activity is carried out), shall control the work performed by the Contractor to provide health and safety at work, and shall take action upon any violation of norms and requirements by managers and contractors. The Contracting Authority shall also have the right to put the work on hold in case of identified breaches of the safety requirements.

6. The person responsible for industrial safety of the external personnel at the site shall be the Contractor’s group leader appointed by their Employer’s order for the specific contract.

**ІІ. OBLIGATIONS OF THE CONTRACTING AUTHORITY**

1. Nominate an official (or officials) to coordinate and supervise the Contractor’s managerial and technical personnel; request for and review all the documents specified in the rules of procedure.

2. Provide briefing to the Group Leader and the Health and Safety Officer who are appointed by the Contractor, in compliance with Regulation РД-07-2, depending on the location and specific conditions of the work to be performed by the external company.

3. The CONTRACTING AUTHORITY, through the Heads of the Industrial Safety section and Production Activity Control section, and departments with controlling functions, shall supervise the work performed by the CONTRACTOR to provide health and safety at work, and shall take action upon any violation of the norms and requirements by the CONTRACTOR. The CONTRACTING AUTHORITY shall also have the right to put the work on hold in case of identified breaches of the requirements of industrial safety, fire safety, emergency safety, and environmental protection.

4. The CONTRACTING AUTHORITY shall not allow persons to work if they do not hold the qualification required to perform the activity.

5. The CONTRACTING AUTHORITY shall have the right to remove from the site workers who, by their actions and/or inactions, endanger their own safety and the safety of the other workers.

**ІІІ. OBLIGATIONS OF THE CONTRACTOR**

1. Submit the following documents to the Contracting Authority prior to commencement of work under the Contract through the Contractor’s Group Leader:

* An Order issued by the Contractor appointing a Group Leader and an Occupational Health and Safety Officer for the particular Contract;
* A List of the safe work instructions to be applied in the implementation of the assigned work (copies shall not be required to verify their existence);
* Standard maintenance and repair instructions for the serviced electrical appliances to be used in the performance of the contract;
* Declaration that all persons who will work on the site are employed under a contract of employment;
* Other documents as required by the industrial safety regulations when accepting external personnel and depending on the nature of the work.

2. Make the right choice in terms of professional qualifications and licences when compiling a list of the managerial and field personnel to perform the work under the contract.

3. The Head of the Contractor shall carry out briefings of the work group in accordance with the requirements of REGULATION No. РД-07-2 of 16.12.2009 on the conditions and procedure for conducting periodic training and briefing of workers and employees on the rules for ensuring health and safety at work, and shall constantly exercise control over compliance with the requirements of the regulations and instructions on industrial safety by the members of the group, and take measures to terminate any violations.

4. Notify the Contracting Authority in writing of the measures taken on the proposals and requests for sanction of persons who have breached the industrial safety requirements.

5. Ensure unconditional compliance with the orders of the authorised officials of the Contracting Authority in case of identified violations of the work safety rules.

6. In the event of an occupational injury or incident (without lost time) involving a person from the external personnel, the Group Leader shall immediately notify the Contractor's management and the Contracting Authority's management through the Site Manager, and the Industrial Safety Section, and shall take action to assist the competent authorities in clarifying the circumstances and causes of the injury.

7. The manager and the personnel of the external organisation carrying out the assigned works shall comply with the fire safety requirements:

* REGULATION No. 8121з-647 of 01 October 2014, on Fire Safety Rules and Standards during Operation of Facilities;
* REGULATION No. Iз-1971 of 29.10.2009 Construction-and-Technical Rules and Standards for Ensuring Safety in case of Fire, SG No. 96 /2009.

8. Provide work clothing and personal protective equipment to its personnel depending on the work type and risks associated with it.

9. Use its own equipment, after obtaining a written permission from the Site Manager, complying with the relevant regulations; observe the locations for placement of the equipment owned by the EO, as determined by the Contracting Authority’s appointed manager, and prescribed power supply, as well as service and maintain the electrical networks, appliances and installations that are made available to the Contractor using qualified personnel in accordance with the regulations;

10. Submit to the Site Manager documents and reports on the maintenance and repair work carried out on the electrical appliances, including attached certificates for materials used.

11. The Contractor shall be fully responsible for the observance of the safety rules.

12. While performing the work, the CONTRACTOR shall comply with the environmental regulations and the regulations of the Contracting Authority, and shall:

1. not allow discharges to the sewerage/water site that would result in a violation of the emission standards for the permissible content of harmful and hazardous substances in the waste water managed by the Contracting Authority;
2. prevent contamination of soil and groundwater;
3. store and handle hazardous chemical substances and preparations in such a way as to prevent pollution of the environment;
4. treat the generated waste in accordance with the Waste Management Act, its by-laws and the internal waste management documents of the Contracting Authority;
5. not violate the standard total sound power level - noise.

13. In the event of an emergency situation, the CONTRACTOR shall comply with the instructions of the Contracting Authority and establish an order of actions consistent with the one regulated in the internal procedures for dealing with such situations.

**ІV. ENFORCEMENT ACTIONS AND SANCTIONS**

1. Upon identifying violations of the health and safety rules by the Contractor’s personnel, the officials authorised by the Contracting Authority shall:

- immediately give oral orders or prescriptions to address the violations;

- remove individual Contractor’s employees, as well as suspend work if the violations committed necessitate so;

- issue written proposals-requirements to the Contractor for imposing sanctions to the individuals who have committed violations.

2. The Contractor shall bear all the expenses caused by deterioration of the quality and extension of the deadlines of the work performed due to removal of individual Contractor’s employees or suspension of the Contractor’s work for violating the requirements of the rules and instructions for health and safety at work.

3. In the case of damages to the environment through the fault of the Contractor, the latter shall reimburse all the costs incurred by the Contracting Authority in connection with sanctions imposed by the control authorities.

This agreement was prepared in two identical copies and forms an integral part of the Contract.

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| **FOR THE CONTRACTING AUTHORITY:** | **FOR THE CONTRACTOR:** |

NOTE: \*This record of agreement shall be completed only by the main Contractor for the contract/procurement. The Contracting Authority shall assign a number to this record of agreement!