**Record of Agreement**

**on the provision of health and safety at work when performing activities at Kozloduy NPP EAD 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 the 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 for 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), controls the work performed by the Contractor to provide health and safety at work, and takes action upon any violation of norms and requirements by managers and contractors. The Contracting Authority also has 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.

7. At the beginning of the contract implementation (prior to commencement of work at the facility), a “Report on risk assessment of work performance”, in accordance with art.18 of the Act on Health and Safety at Work, shall be issued to fulfil the requirements of this agreement.

**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, including the qualification group certificate of competence on health and safety at work.

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. Ensure adherence to the current procedure for work authorisation of external company’s personnel at the Kozloduy NPP site.

4. Issue the required permits to work or other documents connected with work authorisation of the external organisations.

5. The CONTRACTING AUTHORITY, through the Heads of the Industrial Safety section and Production Activity Control section, as well as departments with controlling functions, shall supervise the work performed by the CONTRACTOR to provide health and safety at work, and shall take measures in case of violation of the norms and requirements by the CONTRACTOR. Also, the CONTRACTING AUTHORITY shall have the right to suspend the work in case of identified violations of the requirements of industrial safety, safety in case of fire or emergency, and environmental protection.

6. The CONTRACTING AUTHORITY shall not allow persons to work if they do not hold a qualification group on health and safety at work for the activity to be performed, as confirmed by a valid certificate.

7. The CONTRACTING AUTHORITY has 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.

8. Familiarise the external organisation personnel with Kozloduy NPP EAD Emergency Plan in order to coordinate actions in case of emergency situations.

**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 safety at work instructions to be applied in the course of implementing the assigned work (copies are not 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 where 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. Present qualification group certificates of competence on health and safety at work under the Health and Safety at Work Rules of Procedure that are required to perform the activities.

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 provision of 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. In the cases when another external organisation is allowed to work at the same work site, the Contractor shall, prior to commencement of work as per a permit-to-work (PTW), coordinate with that organisation the work on compliance with the technical measures on safety, fire and emergency safety.

5. 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.

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

7. 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 Production Activity Control section, and shall take action to assist the competent authorities in clarifying the circumstances and causes of the injury.

8. 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 October 2009, on construction-and-technical rules and standards for ensuring safety in case of fire, SG No. 96 /2009.

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

10. 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 Contractor, 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 using qualified personnel in accordance with the regulations;

11. 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.

12. As of the time of receiving authorisation for the Contractor’s team to work, the Contractor shall be fully responsible for observance of the safety rules.

13. 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 substances in such a way as to prevent pollution of the environment;
4. treat the waste generated 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 level of total sound power - noise.

14. 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 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.

4. Upon identifying a violation of the health and safety rules (failure to adhere to the permit-to-work system and failure to use PPE) committed by the Contractor’s personnel, the violating individual shall be suspended access to Kozloduy NPP EAD site for one month.

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

|  |  |
| --- | --- |
| **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!