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History of release

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1 Scope of Application

These Mitsubishi Hitachi Power Systems Europe GmbH (MHPS-EDE) supplementary conditions (referred to in the following as "EB-HSE") apply to all contractual relationships between MHPS-EDE and the contractor, and include any work performed by the contractor on the construction sites and the associated installations (in the following, "construction sites") operated and maintained by MHPS-EDE and/or its principal/customer.

2 Objective

For each construction site, the principal/customer will issue construction site rules and MHPS-EDE will issue an HSE plan. No later than the signing of the contract on which the work is based, the contractor states its consent to their unrestricted validity as well as that of the location-specific construction site rules, the EB-HSE as well as the HSE plan - and ensures its strict compliance with these provisions in the context of the contract's execution.

The HSE plan issued by MHPS-EDE provides for further specification of the contractor's obligations for the respective designated construction site(s).

In the event of any contradictions between each of the aforementioned documents, the following sequence applies (in decreasing order of priority):

1. Construction site rules
2. HSE plan
3. EB-HSE

3 HSE instructions

3.1 Responsible person on the contractor's side/language skills

If more than one person is working for the contractor on the construction site, then as a rule, all work must be performed under the management and supervision of a designated person authorised to represent the contractor on site (referred to in the following as "responsible person": e.g., the contractor's site supervisor), insofar as nothing to the contrary has been agreed upon expressly and in writing between MHPS-EDE and the contractor. The contractor must appoint this responsible person and his representatives and announce this to the head site supervisor at MHPS-EDE (using the pre-printed form below), no later than 30 working days prior to starting work. If the conclusion of the contract on which the contractor's employment is based lies within this time period or thereafter, then the contractor shall appoint the responsible entity immediately after contract conclusion.

The responsible person and his representatives must display reliability, well-founded expertise, physical aptitude, sufficient written and spoken language skills) in order to follow the instructions in the established language of communication for the construction site given by persons from MHPS-EDE in charge of the site, and be able to relay these to the work force hired by the contractor in a commonly understood language.

The responsible person on the contractor's side will undergo an orientation to the construction site given by HSE personnel.

Insofar as necessary for the performance of their functions, the responsible person must assign additional supervisors to the construction site (referred to in the following as "Supervisor" or "SV") to manage and supervise the on-site work - and announce their appointment in writing to the MHPS-EDE contact person in charge of executing the contract on-site. The SV must be briefed by the responsible person according to the instruction(s) by MHPS-EDE and must likewise be suitably qualified to manage and supervise this work (this includes the respective language skills); that is to say, they must display the necessary expertise and have a basic knowledge of the OHS.

Insofar as the responsible person resorts to the use of one or several SV's, it shall remain responsible for their supervision as well as for a definite delineation of functions and authorisations, as well as for proper co-

operation. If an SV is hindered in the performance of his functions and no other SV can be hired, the responsible person and/or his own representative must perform these functions himself/themseves.

The contractor must ensure by way of suitable rules that the responsible person and any hired SV's can properly perform their given functions and exercise their designated powers. In particular, the right to give instructions to the Contractor's employees and to any employees of contractor's subcontractors as required for this purpose, whereby in this context, the term "employees" refers not merely to the company's own employees, but also to temporary, freelancer and any other workers whose actions or negligence to take action is in turn attributable to the contractor and/or its subcontractors. During the performance of work, either the responsible person, his representative, or a duly appointed SV must be present and always available at the construction site.

All of the contractor's employees must be able to read and understand emergency instructions and warnings or any other direction signs/notices on the company premises. Also, the contractor and its employees must be familiar with the meanings of safety labels/signs at the work site.

Insofar as the contractor acts as an individual, the rules regarding the responsible person shall apply accordingly.

3.2 Contractors' subcontractors

In the event that the contractor seeks to have certain activities associated with contract fulfilment regarding supply and services performed by third parties ("Subcontractors"), the contractor is obligated to (prior to the commencement of work by the sub-contractor) obtain MHPS-EDE's written consent for this action. For this purpose, the contractor shall (as a rule) indicate - no later than within thirty days of starting work - the name, address and the competent Employers' Liability Insurance Association (incl. membership number) of the designated subcontractors to MHPS-EDE in writing. A rule deviating from this stipulation is only possible in co-ordination with the client and in well-founded exceptional cases in which the contractor is unable to comply with the consent deadline on grounds which lie outside its control.

If the contractor hires any subcontractors without written consent by MHPS-EDE, then MHPS-EDE can prohibit the continuation of the work. In this case, the contractor remains responsible for compliance with the deadline schedule and for the fulfilment of its other performance obligations.

When deploying subcontractors, the contractor assumes responsibility for ensuring that the subcontractors undertake the obligation to comply with this EB-HSE and/or the HSE schedule as well as the construction-site rules and enforce such compliance accordingly. This is once again highlighted in various sections of the following content, yet applies likewise without such express emphasis. The contractor must acknowledge that any violations of this EB-HSE and/or the HSE schedule or the construction-site rules committed by the subcontractors will be attributed to the contractor itself.

The contractor must impose upon any subcontractors all obligations associated with the functions which it performs and ensure compliance (which it also must verify to MHPS-EDE). In the event that subcontractors are hired, the responsible person and/or (if applicable) the assigned SV shall discuss with the subcontractors the respective work-safety regulations, particularly the current rules and regulations of the competent Employers' Liability Insurance Association, along with additional rules and regulations of MHPS-EDE and/or the principal/the customer and document this in a brief record (minutes of the meeting).

3.3 Registration to the site/leaving the site

Any employee of the contractor and/or its subcontractors must register to the site and clock out/sign out when leaving the respective site (according to the respective site rules).

3.4 Execution of contracted work

The contractor may only start work when it and/or its responsible person/the SV - along with all other persons performing work on its behalf on the construction site - have received all necessary HSE instructions for the respective construction site.

MHPS-EDE reserves the right to order an interruption of any work already started, insofar as this is required to prevent an imminent hazard (e.g. due to a violation of any safety regulations by the contractor).

While performing work, one must take into consideration any other contractors and employees of MHPS-EDE or of the customer who are performing work on the same site, at the same time.

3.5 Certification proceedings/AMS

Contractors/ subcontractors must (for the entire duration of the performance of contracted work) have a certified OHS Management System (OHSMS) in place, insofar as nothing to the contrary has been expressly agreed between the parties in writing. Permissible verifications are generally-recognised certification proceedings (e.g. SCC, OHSAS, etc.). In individual cases - in co-ordination with and following the consent by MHPS-EDEs' HSE Division - an assessment can be performed in accordance with SCC Doc.10.

The costs shall be borne by the contractor.

The contractor must verify this in writing prior to starting work on the construction site - however, no later than immediately after having become aware of this obligation to be certified according to the OHS Management System (OHSMS). If such changes should occur during the settlement of the contract, then the contractor must immediately report these changes and/or their presumable enactment to MHPS-EDE.

MHPS-EDE is authorised to conduct HSE-based audits in the contractor's office space at any time after giving prior notice.

In the event of any violation of the aforementioned obligations to disclosure and notification, MHPS-EDE reserves the right to refuse the contractor access to the construction site until these obligations are fulfilled. If this does not take place within 10 business days, MHPS-EDE furthermore has the right to the extraordinary termination of the contract with the contractor and/or to withdrawal from the contract.

3.6 Risk assessment

Prior to starting its work on the construction site, the contractor must conduct a risk assessment for those hazards associated with the work performed by such employees onsite, as well as take the required safety measures and prepare suitable documentation to this effect prior to starting work or immediately after having become aware of this obligation. In order to be able to co-operate on short notice in the enforcement of the safety and health-protection regulations, the contractor must keep this documentation available at the given work site and submit it to MHPS-EDE upon request. The contractor still bears the sole responsibility for the accuracy and conformity of the hazards assessment as well as the measures hence derived for the protection of its employees. The subcontractors which it hires with MHPS-EDE's consent will be obligated by the contractor to comply with the same regulations, and the contractor itself will monitor compliance with this obligation.

3.7 Initiation and coordination of occupational safety measures

In its area of work, the contractor is responsible for the instigation and enforcement of work safety measures. The contractor undertakes the obligation to provide service in this context and instructs its employees to comply accordingly, in order to always warrant the safety and health protection for employees deployed on-site, along with all other persons in the vicinity of the respective work area.

The contractor shall also bear responsibility for its own employees and for any accordingly hired subcontractors - particularly with regard to supervision and co-ordination obligations - in the event that MHPS-EDE may have appointed a co-ordinator competent to perform the mutual co-ordination of processes in the course of the execution of several contracts concluded by MHPS-EDE which coincide in terms of scheduling and location (on grounds of work safety).

The contractor must co-ordinate appropriate measures with the other contractors in the event of an actual or pending potential hazard - and/or (as necessary) interrupt any work in progress and immediately notify MHPS-EDE - so as to enable the implementation of suitable measures. The contractor is obligated to follow any instructions given by MHPS-EDE and/or the MHPS-EDE co-ordinator.

3.8 Handling of work equipment

The contractor is responsible for ensuring the sound fitting, proper condition and safe operation of all tools and resources it uses to perform its work.

3.8.1 Electrical equipment

The contractor is responsible for ensuring that only those electrical operational resources which are in sound condition at the time of their use are utilised according to the relevant regulations. The successful performance of these inspections recurring at regular intervals is to be documented in a comprehensible fashion and handed over to MHPS-EDE upon request and free of charge. For work performed in tight spaces, containers, shafts etc. - as well as in areas subject to a higher level of electrical hazards - special requirements must be observed.

3.8.2 Use of crane installations, mobile elevating work platforms, electrical hoisting gear, ground conveyors and motor vehicles

Insofar as the contractor uses external tools and resources provided either free of charge or at cost to perform work, this use occurs at the contractor's own risk (subject to any applicable rule stating contrary provisions). At any rate, insofar as legally permissible, liability on the part of MHPS-EDE is excluded.

If any crane installations, mobile elevating work platforms, electrical lifting devices or ground conveyors provided by MHPS-EDE are operated by the contractor and/or its employees in the course of performing work, a list of persons designated to operate these operational resources is to be handed over to MHPS-EDE by the contractor at least 30 days prior to starting work and/or immediately after its having become aware of this obligation. In the course of the submission of the list, the respective proof of qualification - e.g. crane operator's license and/or the lift-truck operator's license are to be submitted to the HSE Manager for the construction site (an MHPS-EDE employee).

Ride-on/drivable mobile elevating work platforms provided by the contractors must be equipped with an approved attachment point for safety harnesses - preferably in the area of the ground. Persons occupying the cabin of ride-on/drivable mobile elevating work platforms must secure themselves with safety harnesses attached to connector devices at most 2 m in length. All operators of motor vehicles must hold the driving license (operator's license) material to the respective local directive on the enforcement of driving licenses - and observe the traffic rules applicable to the area. The existing safety belts must be worn while driving/riding.

3.8.3 Scaffolding construction/use

For the construction and/or use of scaffoldings, the contractor must comply with the following requirements:

For the construction of scaffoldings, the norm DIN EN 12811 must be observed. Scaffoldings may only be set up, modified, dismantled or subjected to corrective maintenance as necessary by an accordingly qualified scaffolding construction company. Any autonomous modification by the user is not permissible.

The use of a scaffolding certificate is required. The max. permissible scaffolding load recorded on this certificate may not be exceeded.

Any contractor who uses such scaffoldings is responsible for compliance with their operational safety and the provisions for their use.

Prior to the use of any scaffolding, the user must inspect such scaffolding for apparent defects. Any defects detected or modification requests made are to be reported to the scaffolding constructor and (for information purposes) to the on-site MHPS-EDE contact person in charge of executing the contract.

Prior to starting work, the respective employees must be notified by the contractor of the aforementioned usage rules. The contractor is responsible for ensuring its employees' compliance with these rules.

3.8.4 Ladders and steps

All ladders and steps used by the contractor must be in sound condition. They also must be inspected for their sound condition according to the respective valid regulations. These inspections must be documented in a comprehensible manner.

3.9 Hazardous substances for work

The contractor must on its own account take the safety and inspection measures required in accordance with the respective hazardous materials directive. If this regulation stipulates a reporting obligation to an oversight agency, the contractor must fulfil this obligation.

No later than upon the signature of the contract which forms the basis for this obligation, the contractor affirms that it has the required specific expertise and experience for all assigned work with hazardous materials.

When performing any work associated with hazardous materials, the contractor must - at least 15 business days prior to the start of work or immediately after having become aware of this obligation – submit a list of the hazardous materials used for work by the contractor itself or by any of its subcontractors (trade name pursuant to the safety data sheet) to the one-site HSE Manager (an MHPS-EDE employee). In addition, the contractor must (promptly before starting work) draft a risk, keep it accessible on-site along with the safety data sheets for those substances used for work - and submit it to MHPS-EDE.

The contractor must either continue using any remnants of hazardous substances for work or dispose of them appropriately.

3.10 Personal Protective Equipment (PPE)

The contractor must provide for itself and/or its employees the respective standard Personal Protective Equipment and additional PPE if required as stipulated in the risk assessment - and ensure that they and the subcontractors' employees use it appropriately. The

Personal protective equipment, standard equipment:

- Safety helmet/hard hat
- Suitable eye protection
- Work gloves
- Protective footwear with mid-sole and toe protection
- High visibility clothing
- Long sleeved and long pants protective clothing

Regardless of this stipulation, at least the PPE must be worn as required in designated operational areas. If an obligation to helmet labelling applies on the given construction site, it must be applied accordingly.

3.11 Approval / Enforcement measures proceedings (Permit to Work - PTW)

The contractors' responsible person must (prior to the start of work and/or immediately after having become aware of this obligation at MHPS-EDE) familiarise itself with the respective standard PTW system as applicable on the construction site and enforce compliance accordingly.

For work performed in the context of PTW proceedings, the HSE Department at MHPS-EDE must issue prior written permission.

3.12 Medical check-ups conducted by an occupational medical specialist

The contractor is responsible for ensuring that only those employees are deployed to the site who have already successfully completed the respectively required medical check-ups conducted by an occupational medical specialist.

3.13 Transport and storage

For the transport and storage of parts, only the paths and storage sites may be used which are previously indicated by MHPS-EDE. In any case, traffic routes must be kept clear (also within buildings).

For parts transport, the necessary load-securing measures must be taken. The maximum load capacity of platforms, scaffoldings and structures must be observed in this context.

3.14 Equipment/furnishings at work and construction sites

The equipment/furnishings at work and construction sites must be co-ordinated with the contact person in charge of executing the contract.

The completion of the work and disbandment at the construction site must be promptly announced to the on-site contact person in charge of executing the contract.

The contractor is obligated to maintain the sound state of the construction site, tidying each day and cleaning the respective areas. Immediately after the conclusion of work, the contractor must itself clear the storage areas and work sites, access roads and the construction site, and restore the area to its original condition. If the contractor fails to comply with this obligation, MHPS-EDE is then entitled to perform the indicated clean-up work itself or have this work performed by others and demand compensation of the expenditures thereby incurred from the contractor.

3.15 Alcohol and other intoxicants

Bringing alcoholic beverages or any other intoxicants to the construction site for consumption is prohibited. Entry to the construction site while under the influence of alcohol or other intoxicants is likewise not permitted. MHPS-EDE is authorised to deny access to or expel any persons who enter the construction site while under the influence of alcohol or other intoxicants. The tolerance level is in accordance with the customer's HSE rules.

3.16 Emergency call reporting point

When any unusual events occur (e.g. fire, accident involving personal injury and environmental damage), the emergency call reporting point must be notified. The deployment of external rescue services must also be initiated via this point as necessary.

3.17 Accident and damage reports

Any accident which leads to the injured person interrupting his/her work must be reported to MHPS-EDE. This must be done by the injured person himself/herself visiting the local first-aid station. If there is no such station in the vicinity, the contractor must send a copy of the respective entry in its first-aid log via the competent site contact person to the HSE Manager at MHPS-EDE within three days.

Within three business days of any accident which leads to one of the contractor's employees or a duly hired subcontractor's employees missing at least one shift while working for the contractor, the contractor must transmit a written accident report to the on-site MHPS-EDE contact person in charge of executing the contract. This report must describe the apparent progression of the course of events during the accident up to that point, along with the manner and severity of the consequences, the presumed cause determined up to that point as well as the (initial) measures designated by the contractor and/or subcontractors to avoid the recurrence of such an accident in the future. If a conclusive clarification of the accident's cause is not possible within this period, the contractor must then immediately submit a concluding report after such clarification. The contractor ensures the diligent clarification of the accident's cause and undertakes the obligation to (as necessary) select suitable measures - also involving its subcontractors - to avoid the recurrence of such an accident in the future.

In addition, the contractor is obligated to (upon request by MHPS-EDE) orally elaborate on the data in the respective accident report.

The contractor must immediately notify the contact person in charge of executing the contract of any accidents and damage events, so that MHPS-EDE can comply with its own reporting obligation towards the respective official agency.

The contractor consents to the processing and analysis of the accident data in MHPS-EDE's accident statistics.

3.18 Restricted workcases

Whenever possible, the contractor must maintain restricted workplaces for employees who are slightly injured and/or fit to work in a limited scope. These can be maintained on the construction site itself or in other operational areas.

3.19 Legal consequences of violations

In the event of any violation of these EB-HSE - and/or of the construction-site rules or the HSE plan - MHPS-EDE is (regardless of further rights which arise from statutory provisions or other contractual rules) entitled to expel the contractor and/or its employee(s) or its subsequent contractors who have violated the EB-HSE rules and/or the construction site rules or the HSE schedule issued by MHPS-EDE and/or do not fulfil the requirements therein - and demand substitute personnel from the contractor as necessary.

3.20 Regulations associated with the Workplace Safety Act

In addition to the aforementioned expressly stated rules and regulations on work safety, the other OHS regulations applicable in the respective country shall apply likewise.

(Contractor)

(Address)

(Tel.)

(competent Employers' Liability Insurance Association)

(Membership number)

TO
Mitsubishi Hitachi Power Systems Europe GmbH
Construction site
Construction site management

Address

DE- Postcode City

Appointment of responsible persons acting on the Contractor's behalf according to § 2 of the "Supplemental Conditions HSE (Health, Safety and Environment) for the construction sites maintained by the company

here: Responsible management and supervision of the work assigned to us by Mitsubishi Hitachi Power Systems Europe GmbH with the following items

Order no.: _____ dated: _____

Specific work assigned: _____

We have assigned the responsibility for the management and supervision of the construction site to the following person:

Mr./Ms. _____
(Last name, first name) (Position in the company)

(Address) (Tel.):

and as his/her representative: Mr./Ms. _____
(Last name, first name) (Position in the company)

(Address) (Tel.)

as hereby named for you in this document.

The aforementioned persons fulfil the criteria indicated in § 2 (reliability, well-founded expertise, physical aptitude, sufficient written and spoken language skills). They have been advised of the rights and duties incumbent upon them.

Contact person at the head office for incident reports:

Mr./Ms. _____
(Last name, first name) (Position in the company)

(Address) (Telephone number)

Any changes shall be immediately reported to them.

(City, date)

(Contractor's legally binding signature)

4 Reference of documents

4.1 Applicable defaults

Standard / rule type	Description
DIN EN 12811	Construction of scaffolds

4.2 SDA/Standard template

SDA / VOR-No.	Description
None	