

REGULATIONS OF REPORTING BREACHES OF LAW

02/12/2021

NAFTO Sp. z o.o.



REGULATIONS OF REPORTING BREACHES OF LAW

AT NAFTO SP. Z O.O.

INTRODUCTION

The purpose of the Regulations of reporting breaches of law at Nafto Sp. z o.o. (hereinafter: “Regulations”) is to introduce procedures for reporting breaches of law in accordance with Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (hereinafter: “Directive” and: “reporting person”). The Regulations set out the procedures for reporting and examining reports of breaches of law in the workplace and in the place of provision of services, taking follow-up and ensuring protection of persons who report breaches from retaliation.

DEFINITIONS

- 1) **follow-up** – shall be understood as any action taken by the Employer or public authority, to assess the accuracy of the allegations made in the report and, where relevant, to counteract the breach of law reported, including through an internal enquiry, an investigation, prosecution, an action for recovery of funds, or the closure of the procedure for receiving and verifying reports;
- 2) **retaliation** – shall be understood as any direct or indirect act or omission which is prompted by the report or by public disclosure, and which breaches or may breach the rights of the reporting person or causes or may cause detriment to the reporting person;
- 3) **information on breach of law** – shall be understood as information, including reasonable suspicions, about actual or potential breach of law, which occurred or is very likely to occur in the organisation in which the reporting person works or worked or in another organisation with which the reporting person is or was in contact in the work-related context, and about attempts to conceal such breach of law;
- 4) **feedback** – shall be understood as the provision to the reporting person of information on the action envisaged or taken as follow-up and on the grounds for such follow-up;
- 5) **work-related context** – shall be understood as all the circumstances related to the employment relationship or other legal relationship constituting the basis for the provision of work, within which information on breach of law was obtained;
- 6) **central authority** – shall be understood as the public administration authority competent to provide information and support in matters of reporting and public disclosure of breaches of law and to receive external reports of breaches of law in the areas covered by the Act, their initial verification and transmission to the competent authorities for follow-up;
- 7) **public authority** – shall be understood as the public administration authority that has established a procedure for receiving external reports of breaches of law in the area of its competence;

- 8) **person concerned** – shall be understood as a natural person, a legal person or an organisational unit without legal personality, to which the Act confers legal capacity, referred to in the report or public disclosure as a person to whom the breach is attributed or with whom that person is associated;
- 9) **facilitator** – shall be understood as a natural person who assists a reporting person in the report or public disclosure in a work-related context;
- 10) **person associated with the reporting person** – shall be understood as a natural person who may experience retaliation, including a co-worker or family member of the reporting person;
- 11) **employer** – shall be understood as the employer as defined in Article 3 of the Act of 26 June 1974 – Polish Labour Code (Polish Journal of Laws of 2020, item 1320, and of 2021, item 1162);
- 12) **employee** – shall be understood as the employee as defined in Article 2 of the Act of 26 June 1974 – Polish Labour Code and temporary employee as defined in Article 2 (2) of the Act of 9 July 2003 on hiring temporary employees (Polish Journal of Laws of 2019, item 1563);
- 13) **public disclosure** – shall be understood as making the information on breach of law available in the public domain;
- 14) **reporting information on breach of law** – shall be understood as internal reporting and external reporting;
- 15) **internal reporting** – shall be understood as the communication of information on breach of law to the employer (hereinafter referred to interchangeably as “report” or “internal reporting”).
- 16) **external reporting** – shall be understood as the communication of information on breach of law to the public authority or central authority.
- 17) **whistleblower (or interchangeable “reporting person”)** – a person who makes an internal or external reporting in accordance with these Regulations.
- 18) **Employer’s Team** – an entity established by the employer, comprising the Person receiving internal reports and the Team examining internal reports (hereinafter

referred to as the “Team”), appointed for: receiving reports, confirming receipt of reports, examining reports accepted for examining, taking follow up, providing feedback to the reporting person and keeping a register of reports for the employer.

19) Regulations – this document

§ 1

GENERAL PROVISIONS

1. The purpose of introducing the Regulations is to prevent breaches of law that may occur in the workplace to the extent indicated in the provisions of the Directive and to take follow-up.
2. A breach of law is an act or omission that is unlawful or aimed at circumventing the law regulated in terms of subject matter by the Directive in the area of:
 - a) public procurement
 - b) financial services, products and markets, and prevention of money laundering and terrorist financing
 - c) product safety and compliance
 - d) transport safety
 - e) protection of the environment
 - f) radiation protection and nuclear safety
 - g) food and feed safety, animal health and welfare
 - h) public health
 - i) consumer protection
 - j) protection of privacy and personal data, and security of networks and information systems;
3. The Employer and all employees, irrespective of the form of work, regardless of their job position and type of employment, should strive to perform their duties properly and in accordance with the applicable law and to counteract and eliminate any irregularities, including abuses of the law within the scope described in the provisions of the Directive and the provisions of the Regulations.
4. Any intentional actions or behaviour leading to irregularities in the application of and compliance with the law shall not be tolerated by the Employer.
5. All reports will be scrupulously investigated, and any irregularities found will be explained and eliminated.
6. Each employee makes a written declaration about becoming familiar with the Regulations. The template of the declaration constitutes Appendix No. 1 to these Regulations.
7. The Employer and superiors shall make every effort to ensure that all employees are informed and involved in counteracting and eliminating any irregularities that could lead to a risk of breach of law.

8. All employees, regardless of the type of work, type of employment, job position and location where they perform professional activities, are protected under these Regulations on the terms described herein.
9. The Regulations shall not apply to:
 - a) protection of confidential information;
 - b) professional secrecy;
 - c) criminal proceedings.
10. The provisions of the Regulations shall not apply if the information on breach of law has been reported on the basis of separate provisions, in particular as a complaint or a notification of possible offence.
11. The provisions of the Regulations shall not apply if the breach of law is exclusively against the rights of the reporting person or if the breach of law is exclusively reported in the individual interest of the reporting person.
12. Other procedures in force at the Employer's or the provisions of common law shall apply to reports made in the individual interest.

§ 2

OBLIGATIONS OF THE EMPLOYER

13. The Employer is obliged to organise the receipt and verification of reports, take the follow-up and the related processing of personal data in such a way that unauthorised persons cannot gain access to the information covered by the report and that the confidentiality of the identity of the reporting person and the person concerned is protected. The protection of confidentiality refers to information on the basis of which the identity of such persons can be directly or indirectly identified.
14. The Employer is obliged to counteract and respond to retaliation against the reporting person, including, in particular, discrimination, harassment and other behaviour as well as prohibited and retaliatory actions as referred to in Article 19 of the Directive and § 8 of the Regulations. The internal Policy for counteracting harassment and discrimination and reducing the risk of conflicts in the workplace, hereinafter referred to as the Anti-Harassment Policy, introduced by Order No. 7/2021 of the President of the Management Board of Nafto Sp. z o.o. on 28/10/2021, shall also apply to the above extent.

15. The Employer pursues an information policy aimed at disseminating knowledge among employees about the principles described in the Regulations and about the functioning of the institutions specified therein.
16. The Employer appoints in a separate Order: Employer's Team comprising the Person receiving internal reports and the Team examining internal reports and authorises the Team examining internal reports to keep a register of internal reports.
17. The Employer creates channels that ensure to make reports of breaches of law.
18. The Employer is obliged to familiarise the employee with the content of the Regulations before allowing the employee to work.
19. The Employer:
 - d) keeps the register of internal reports with the assistance of the Team examining internal reports,
 - e) is the controller of the data collected in this register.
20. In the register of internal reports, the Employer collects, among other things, the following data:
 - a) case number;
 - b) subject matter of the breach;
 - c) date of making internal reporting;
 - d) information on the follow-up taken;
 - e) date of closure of the case.

§3

OBLIGATIONS OF THE EMPLOYEES

1. All employees are obliged to know and comply with these Regulations.
2. All employees, as part of the participation as a witness to the proceedings, as a party to the proceedings or as a team member in the work of the team examining reports of the breach of law, are obliged to maintain absolute confidentiality, to which they undertake by prior signing of a relevant declaration constituting Appendix No. 2 to these Regulations.

§4

MANNERS OF REPORTING BREACHES OF LAW

1. In case of obtaining information on breach of law and the intention to report it – the reporting person has the right to use the internal reporting channel provided by the Employer. The reporting is made in the following manner:

- a) in writing – by electronic means via the platform provided on the Employer's website, which ensures the security of the report, including its confidentiality

or

- b) orally – by telephone to the Person receiving reports at the telephone number indicated in the Employer's Order.

2. The reporting person finally chooses the procedure for reporting.
3. Firstly, in the case of a suspected or found breach of law, the reporting person should use the so-called internal reporting channel provided by the Employer.
4. Failure by the reporting person to use the internal reporting procedure does not prevent the reporting person from making an external reporting.
5. In any case, a reporting may also be made to a public authority or a central authority without following the procedure provided for in the internal reporting regulations, in particular if:
 - a) the Employer fails to take follow up or provide the reporting person with feedback within the time limit for feedback set out in these Regulations, or
 - b) the reporting person has reasonable grounds to believe that the breach of law may constitute a direct or obvious threat to the public interest, in particular, there is a risk of irreparable harm, or
 - c) making an internal reporting will expose the whistleblower to retaliation, or
 - d) in the event of internal reporting, there is little likelihood that the Employer will be able to effectively counteract the breach of law due to the particular circumstances of the case, such as the possibility of concealing or destroying evidence or the possibility of collusion between the employer and the perpetrator of the breach of law or the employer's involvement in the breach of law.
6. Reports may only be non-anonymous; anonymous reports will not be accepted for examination.
7. The reporting person's personal data and other identifiable data shall not be disclosed, unless with the express consent of the reporting person.
8. The reporting person may report as part of public disclosure and is subject to protection, if the reporting person:
 - a) makes an internal reporting and then an external reporting and within the time limit for feedback set out in the internal reporting regulations, and then within the time limit for feedback set out in the procedure for reporting breaches of law to the public authority, the Employer and then the public authority fail to take follow up or provide feedback to the whistleblower,or
 - b) makes an external reporting immediately and within the time limit for feedback set out in the procedure for reporting breaches of law to the public authority, the public authority fails to take appropriate follow-up or provide feedback to the whistleblower.

§5

PROCEDURE FOR REPORTING BREACHES

1. The formal procedure for reporting breaches of law, i.e. internal reports, takes place using the internal reporting channels referred to in § 4 sec. 1 (a) or (b) above, i.e. in writing (by electronic means) or orally (by telephone).
2. A written reporting should be made by the reporting person by electronic means on the form intended for this purpose, the template of which constitutes Appendix No. 5 to these Regulations via the platform provided on the Employer's website or by telephone – in such a case, Appendix No. 5 shall be filled in by the Person receiving the report.
3. The first action that the Person receiving the report is obliged to take is to confirm to the reporting person the acceptance of the report within 7 days of its receipt. The confirmation of receipt of the report may be automated. Failure by the reporting person to provide an email address or address of residence to which the confirmation should be sent – results in no obligation to confirm the receipt of the report by the Employer.
4. The next action that the Person receiving the report is immediately obliged to take is the preliminary assessment of the report, i.e. making a decision whether to proceed with the report, i.e. whether to submit it to the Team's examination or leave it without examination.
5. The person receiving the report shall leave the report without examination, if: the report is too general; or it does not indicate what irregularities are involved; or it contains only invectives; or it does not allow, on the basis of the provided data, a preliminary identification of the irregularities; or it is anonymous; or, pursuant to § 1 sec. 9, 10, 11, 12 of the Regulations – these Regulations do not apply to it.
6. In the case of reports regarding breaches of law recognised by another procedure in force at the Employer, the Person receiving the report shall inform the reporting person of the possibility of using this procedure.
7. After the preliminary assessment of the report, the Person receiving the report:
 - a) leaves the report without examination and does not proceed with it, and informs the whistleblower of this fact with a confirmation of receipt of the report,

or

- b) forwards the report for examination to the Team examining internal reports in the event of alleged breach of law in the scope described in the Directive and these Regulations, along with a confirmation of receipt of the report.
8. The Team conducts investigation and examines the report immediately, no later than 3 months from the date of its acceptance for examination.
 9. The task of the Team is to conduct an investigation, which consists of an analysis of events, assessment of the validity of the report and preparation of conclusions and recommendations for the Employer for further follow-up, corrective actions and elimination of breaches of law, if confirmed.
 10. The analysis of events conducted by the Team consists, in accordance with the Team's decision, in: hearing the parties, including the reporting person (if necessary) and hearing the persons referred to in the definitions in points 8), 9) 10) of the Regulations or participants or witnesses of the events described in the report, as well as analysis of documentation, e.g. e-mails, SMS messages, letters, photos, etc., constituting evidence in the case of breaches of law.
 11. The Team may request explanations related to the subject matter of the report from persons whose testimony may be relevant to the given case.
 12. The appearance of witnesses at the meeting with the Team is obligatory and takes place on a confidential basis, at the Employer's official order, provided that the witnesses have the employment relationship.
 13. The employee may justify his/her non-appearance at the meeting with the Team by a period of incapacity for work or by being out of work during this time (e.g. annual leave, business trip, scheduled business meeting). In such a situation, the Team sets another date on which the employee is obliged to appear at the meeting.
 14. The Team shall notify the employee of the date of appearance by telephone or e-mail no later than 1 (one) day before the scheduled date of the meeting.
 15. The employee is relieved of his/her professional duties for the time of the necessary activities undertaken in the proceedings conducted by the Team, with the right to remuneration, similarly to the members of the Team.
 16. The confrontation of the parties, i.e. the reporting person and the person who, according to the reporting person, breached the law, during the meeting with the Team is only possible upon the consent of both parties.
 17. The Chairperson of the Team draws up the minutes of each meeting or indicates another member of the Team who draws up the minutes.
 18. The Team keeps a register of reports on the terms described in the Regulations. The Chairperson of the Team appoints a person to keep the register.
 19. The Team archives the documentation related to the submitted report and the conducted investigation for the period necessary to assert the rights and claims of the reporting person.

20. In the case of an alleged breach of law being reported by the Employer itself, the Team is obliged to reliably and transparently examine the case, and if it is impossible to take action at the internal level, the Team is obliged to notify the competent authority itself using the so-called external reporting channel or inform the whistleblower of the possibility of making an individual report using this procedure.
21. The Team examining reports provides feedback to the reporting person, which includes, in particular, information about whether or not the breach of law occurred, possible measures that have been or will be taken in response to the found breach of law.

§ 6

EMPLOYER'S TEAM

1. Pursuant to § 2 sec. 4, the Employer appoints the Employer's Team comprising the Person receiving internal reports and the Team examining internal reports.
2. Person receiving internal reports – a natural person acting at the Employer's, appointed by the Employer to receive internal reports, confirm to the reporting person the receipt of the report within 7 days of its receipt and to make a preliminary assessment of the report.
3. The team examining reports is a collective internal entity acting at the Employer's, appointed and authorised by the Employer to examine reports.
4. The task of the Team examining reports is to examine reports accepted for examination, take follow-up, including verification of the report and further communication with the reporting person, including requesting additional information and providing feedback to the whistleblower, and to keep a register of reports.
5. The Team examining reports acts in accordance with the principles of:
 - a) immediate action,
 - b) confidentiality,
 - c) objectivity,
 - d) impartiality,
 - e) independence,
 - f) focusing on a comprehensive clarification of the facts.
6. The Team examining reports consists of:
 - a) representative of the Employer,
 - b) representative of the HR and Payroll Office,
 - c) representative of the employees, elected in accordance with the procedure provided for by the Employer

7. The Employer may, at the request of the Team, additionally appoint an expert in an advisory capacity to join the Team, i.e. an employee with knowledge and qualifications to examine the subject matter of the report, if required by the nature of the report.
8. The person concerned may not be a member of the Team, provided that the breach of law has been reported directly by such person and a person who is in a conflict of interest with the reporting person.
9. A member of the Team cannot be a person who is married to the reporting person, in a relationship of direct kinship or affinity, secondary kinship or affinity up to the second degree or in adoption relationship, custody or guardianship, or a person remaining in such a legal or factual relationship to the reporting person that it may raise reasonable doubts with respect to the objectivity and impartiality.
10. The premises contained in sec. 8 and 9 above, which may constitute the reason for excluding the possibility of performing the function of a member of the Team, are assessed by the Employer on the basis of the available knowledge of verified, reported premises. Furthermore, each member of the Team shall make a declaration to this effect in accordance with the template constituting Appendix No. 3 to the Regulations.
11. If a member of the Team is the person concerned, as well as a person for whom there is a reasonable suspicion that a member of the Team is not impartial or independent, or there are premises described in sec. 7 and 8 above – then the Team notifies the Employer about it, and the Employer, while the case is being examined, dismisses such a person from the function of a member of the Team, and appoints another person in its place to supplement the composition of the Team.
12. The members of the Team elect a Chairperson from among themselves, who chairs the meetings, takes minutes, manages the dates of meetings and takes other decisions specified in these Regulations.
13. The Team's decisions regarding the validity of the report are made by a simple majority of votes in the presence of the majority of team members.
14. The Team is obliged in particular to:
 - a) be reliable and impartial in collecting information related to the report,
 - b) organise and conduct explanatory interviews,
 - c) keep minutes of the explanatory interviews,
 - d) collect documentation related to the report and necessary for the proceedings,
 - e) work out a position, including an analysis of events, the evidence provided, an assessment of the validity of the examined report as well as conclusions and recommendations for further actions,
 - f) keep the report anonymous, as long as the whistleblower has not disclosed its personal data in the report, and maintain confidentiality,

- g) provide feedback to the reporting person within a maximum of 3 months from the confirmation of the receipt of the report or, if no confirmation is provided to the whistleblower, 3 months from the expiry of 7 days after the report was made,
 - h) provide the Employer with minutes containing the team's position, including its reasons, conclusions and recommendations.
15. An appropriate follow-up is also considered to be the closure of the reporting verification procedure (information on breach) following the conclusion that the breach was clearly minor and did not require further follow-up.
16. Feedback includes, in particular, information about whether or not the breach of law occurred, and possible measures that have been or will be taken in response to the found breach of law.

§ 7

PRINCIPLE OF CONFIDENTIALITY

1. The proceedings conducted by the Team are covered by the obligation of confidentiality with regard to all information disclosed in their course.
2. Each of the persons participating in the above-mentioned proceedings is obliged to maintain confidentiality, about which they are each time informed.
3. The members of the Team, parties to the proceedings and witnesses sign a declaration of confidentiality, the template of which constitutes Appendix No. 2 to the Regulations.
4. None of the employees participating in the proceedings conducted by the Team shall be entitled to disclose information about the fact, place, time and course of meetings organised as part of these proceedings, subject to the provisions of sec. 5 below. The above obligation applies to the information contained in the kept register of reports.
5. The content of the report submitted to the Team and the data of the reporting employee are kept confidential, which means that they are not disclosed to other employees or their immediate or higher level superiors.
6. Personal data processed in connection with the receipt of the report are stored by the Employer, public authority or central authority for no longer than 5 years from the date of receipt of the report.

§ 8

PROHIBITION OF RETALIATION

1. No person who uses the instruments provided for in these Regulations and other provisions of law may face the intention of retaliation or retaliation on the part of the Employer, superiors and other employees and workers. This also applies to persons who act as witnesses in any proceedings or report

- irregularities to the Employer or other legal authorities, or provide support in this regard to reporting persons.
2. The prohibition of retaliation covers both the protection of reporting persons, facilitators, and persons associated with the reporting person.
 3. Any act consisting in making a report in bad faith, which is in the nature of knowingly slandering anyone of a breach of law, is prohibited and will be met with an appropriate and proportionate response from the Employer.
 4. The whistleblower shall be subject to protection provided that he or she had reasonable grounds to believe that the information on breach of law that was the subject of the internal, external reporting or public disclosure was true at the time of report or public disclosure and that such information constituted the information on breach of law
 5. If the work is performed by the whistleblower on the basis of employment relationship, the whistleblower may not be subject to any adverse treatment on account of the report or public disclosure.
 6. The adverse treatment referred to in sec. 5 shall be considered in particular:
 - a) refusal to establish an employment relationship,
 - b) termination or dissolution without notice of the employment relationship,
 - c) failure to conclude a temporary employment contract after the termination of a trial period employment contract, failure to conclude another temporary employment contract or failure to conclude a permanent employment contract, after termination of a temporary employment contract – where the employee had legitimate expectations that such a contract will be concluded,
 - d) reduction of remuneration for work,
 - e) withholding of promotion or omission for promotion,
 - f) omission for work-related benefits other than remuneration,
 - g) assignment of an employee to a lower job position,
 - h) suspension in the performance of employee or official duties,
 - i) delegation to another employee of the employee's duties,
 - j) unfavourable change of the place of work or working time schedule,
 - k) negative performance evaluation or a negative opinion of work,
 - l) imposition or administering of disciplinary measure, including a financial penalty, or similar measure,
 - m) withholding of participation or omission when selecting for participating in training courses aimed at improving professional qualifications,
 - n) unjustified referral for medical examination, including psychiatric examination, if separate provisions provide for the possibility of referring the employee for such examination,

- o) action aimed at making it difficult to find employment in a given sector or industry in the future on the basis of an informal or formal sector or industry agreement

– unless the Employer proves that the Employer was motivated by objective reasons.

7. A threat or attempt to apply a measure referred to in sec. 6 shall also be considered adverse treatment due to the report or public disclosure, unless the Employer proves that the Employer was motivated by objective reasons.
8. If the work is, or is to be, provided by the whistleblower on the basis of legal relationship other than employment relationship, the whistleblower may not be subject to any adverse treatment on account of the report or public disclosure.
9. The report or public disclosure may not constitute grounds for disciplinary liability, provided that the whistleblower had reasonable grounds to believe that the report or public disclosure was necessary to disclose a breach of law.
10. The report or public disclosure may not constitute grounds for liability, including liability for damage, for infringement of rights of other persons or of obligations set out in the provisions of law, in particular with regard to defamation, infringement of personal rights, copyright, data protection regulations and the obligation to secrecy, including business secret, provided that the whistleblower had reasonable grounds to believe that the report or public disclosure was necessary to disclose a breach of law.
11. Any termination or dissolution without notice of a contract in business trading, to which the whistleblower is a party, in particular regarding the sale or supply of goods or the provision of services, due to the report or public disclosure, is ineffective.

§9

FINAL PROVISIONS

12. The Employer provides training to all employees, including management staff, on counteracting abuses of the law.
13. The provisions of the Regulations apply to the catalogue of persons specified by the provisions of the Directive, i.e. employees, persons providing services, interns, volunteers, job applicants and former employees.
14. To the extent not covered by the provisions of the Directive and these Regulations, generally applicable laws and internal regulations shall apply to the examination of reports.
15. The Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) shall apply to the extent of the work of the Team, including the circulation of documentation and the procedure for hearing parties and witnesses to the proceedings. Processing of personal data, including special categories of data, by members of the team shall be carried out on the basis of a separate authorisation/order to process personal data, the template of which constitutes Appendix No. 4 to the Regulations.

16. Until the cessation of the state of epidemic or epidemic threat referred to in the Act of 2 March 2020 on special solutions related to preventing, counteracting and combating COVID-19, other infectious diseases and emergencies caused by them (Polish Journal of Laws, item 1842) and implementing regulations issued thereto, the possibility of using electronic circulation of documentation related to the activities of the team receiving reports and its meetings with the use of means of distance communication is introduced.
17. The provisions of the Polish Civil Code shall apply to electronic circulation of documentation.
18. The circulation of documentation between the members of the Team and witnesses or an expert takes place via properly secured e-mail. Where reasonably necessary, the possibility of remote team meetings with electronic circulation of documentation is introduced, while respecting the rules of confidentiality.
19. The Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC shall apply to the electronic circulation of documentation and remote team meetings.
20. Documents containing special categories of data referred to in Article 9 of the GDPR, submitted to the Team receiving reports by electronic means require encryption.
21. These Regulations have been established through consultations with the representatives of employees, selected in accordance with the procedure adopted by the Employer.
22. The Regulations shall enter into force two weeks after they have been communicated to the employees.
23. For persons reporting breaches of law who are not employees, i.e. job applicants, former employees, persons providing work for the Employer on a basis other than employment relationship, volunteers, interns and persons working under the supervision and direction of the contractor, subcontractors and suppliers, the content of the Regulations is published on the Employer's website.

[stamp:]

Rafał Hojnor

PRESIDENT OF THE MANAGEMENT BOARD

/-/ illegible signature

**DECLARATION ABOUT BECOMING FAMILIAR WITH
THE REGULATIONS OF REPORTING BREACHES OF LAW**

I, the undersigned (name and surname)

employed as/providing services

(job position title)

at

hereby declare that I have become familiar with the Regulations of Reporting Breaches of Law in force at Nafto Sp. z o.o. and I accept to comply with them.

..... on

.....
(signature)

DECLARATION OF CONFIDENTIALITY

In connection with participation as a party, witness to the proceedings or member of the team receiving reports of breach of law at Nafto Sp. z o.o.

I undertake:

1. Irrevocably and unconditionally to keep confidential information as defined in this declaration strictly confidential and undertake to treat and protect it from disclosure to third parties. Confidential information shall be understood as any information (including provided or obtained in oral, written, electronic and any other form) resulting from the works and related to the works of the team, obtained during the works of the team, during meetings, sessions, regardless of whether they were made available in connection with the works of the team, or were obtained on this occasion in other way.
2. Not to disclose, make public, transmit or otherwise make available to third parties or use any confidential information.
3. To contact the Chairperson of the Team receiving reports in writing in case of doubts as to whether a given information is confidential.
4. To assume full responsibility for any damage caused by acts or omissions that constitute a breach of the obligations under this declaration.
5. To maintain the confidentiality referred to in this declaration for an indefinite period.

.....
signature of the person making the declaration

DECLARATION OF THE MEMBER OF THE TEAM RECEIVING REPORTS

I hereby declare that in the pending proceedings initiated by the Team receiving reports of breaches of law, I am not a reporting person, a person indicated in the report as perpetrator of breach of law, as well as I am not married to the reporting person, in a relationship of direct kinship or affinity, secondary kinship or affinity up to the second degree or in adoption relationship, custody or guardianship. I am also not a person remaining in such a legal or factual relationship to the reporting person that it may raise reasonable doubts with respect to my objectivity and impartiality or a conflict of interest.

..... on

.....
(employee's signature)

AUTHORISATION TO PROCESS PERSONAL DATA

I authorise and instruct Mr/Ms.....

PESEL [Personal Identification Number].....

to process personal data (including special categories of data) of persons appearing as parties and witnesses at meetings of the team receiving reports of breaches of law and documents containing personal data indicated in the report or obtained in the course of its examination pursuant to Article 29 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (GDPR), and repealing Directive 95/46/EC (General Data Protection Regulation). The authorisation expires upon the end of participation in the works of the team.

.....

Personal Data Controller

I declare that I accept the above-mentioned instruction

.....

FORM FOR REPORTING BREACHES OF LAW

DATA OF THE REPORTING PERSON*	
Name and surname	
contact phone/e-mail	
Place of work/service provision	
Job position	
Description of the breach of law with reasons and indication of factual circumstances.	Date/period of event (if applicable)
Signature of the reporting person*	

The conditions for providing personal data for the purpose of examining the report are included in the information obligation based on Article 13 of the GDPR for persons reporting breaches of law: