

In compliance with the Health and Safety at work Act and the Articles of Association, the Management of the Board of Luka Koper d.d., Koper, at its 269th regular session held on December 22, 2015 adopted the following:

REGULATION of health and safety at work in the Port of Koper

I. GENERAL PROVISIONS

Article 1

The safety and health at work (hereinafter: safety at work) shall comprehend the rights, obligations and responsibilities of employees, performing works resp. being present in the Port of Koper area, as well as safety measures, norms, procedures and tasks, defined with valid regulations and instructions by means of which Luka Koper, d.d. (hereinafter: Luka) shall regulate the safety at work.

This Regulation shall apply to any person staying within the Port of Koper area. Any participant may have internal regulations which shall not exclude this Regulation. Besides this Regulation, internal companies' rules shall apply for Luka Koper, d.d. and Luka Koper Inpo d.o.o. employees.

The prohibition on the consumption of alcohol and other psychoactive substances also falls within the scope of health and safety at work, and shall be regulated by the Regulation on defining the alcohol misuse and the presence of other psychoactive substances within the Port of Koper area.

The Framework comprehensive programme of measures is enclosed to this Regulation.

1. EXPLANATION OF TERMS

Article 2

- **Participants** – any legal or natural person moving and in any way performing the works in the Port's of Koper area
- **Other participants** – participants, except Luka Koper d.d. or Luka Koper Inpo d.o.o. employees
- **Visitors** – persons entering the Port of Koper once or periodically and do not perform the works in the Port of Koper area (such as for example business partners, port's visits participants, cargo carriers, ships' crews, passengers, and similar).
- **Outsourcing companies (IPS)** – performers of port's services.
- **HSW**–health and safety at work.

- **Collective injury at work** – is the event in occasion of which at least two persons are injured irrespective of the seriousness of the injury, and the same requirements shall apply as for the injury at work.
- **Dangerous occurrence**– is the event which may lead to the material damage or employees' injuries.
- **Injured person** – means any person, who has suffered an injury at work or in relation with work, irrespective of the type and the seriousness of the injury.
- **Supervisor** – means any person who directly manages the work.
- **Event participant** – means the person directly involved in the event in occasion of which the injury or dangerous occurrence have taken place.
- **Eyewitness** – means the person who witnesses the event which has led to the injury or dangerous occurrence.
- **Responsible supervisor** – means the person responsible for the whole working site resp. the ongoing handling operation (e.g. warehouse – quay – ship and similar)
- **Occupational Health and Safety Officer** – means the person holding the certificate on professional competence from safety and health at work and performing tasks related to the health and safety at work, performing tasks related to the health and safety at work in compliance with the Health and Safety at Work Act (ZVZD-1) and according to an authorization or a contract.
- **Source of injury** –the mean by which the injured person was injured.
- **Cause of injury** – the occurrence which has given rise to the injury.
- **Dangers** – occurrences which consequently lead to employees injuries or illnesses.
- **Injury at work** - is an unforeseen resp. unexpected event, the consequence of which may be less serious or serious injury resp. the occupational fatality which occurs at the work place or in the working environment during the performance of work or resulting from work, and the injured person is the holder of the occupational injuries insurance pursuant to the regulations.
- **Occupational Health and Safety Department** – means the department resp. service responsible for health and safety at work in Luka Koper d.d..
- **Measure related to the health and safety at work** - means any measure of person in charge or employee, which is destined to prevent resp. eliminate the danger, injuries at work, health damages or directed to the risk management.
- **Security Department** – service responsible for the security in Luka Koper d.d..

Article 3

Responsibilities

Any participant present in the Port of Koper area shall be responsible to conduct pursuant to regulations from the field health and safety at work and this Regulation.

2. WORK OF OTHER LEGAL ENTITIES AND INDEPENDENT ENTREPRENEURS IN THE PORT OF KOPER AREA

Article 4

Whereas the work in the Port of Koper area is performed by other participants, except the visitors as defined in Article 2, a written agreement on providing safety at work, fire safety and environmental protection must be concluded prior to the start of works.

A written agreement shall contain mutual obligations and measures and norms for safety at work, fire safety and environmental protection as well as rights, obligations and authorisations of persons organizing the work, performing the control over the performance of work at the joint working site resp. at the joint work. A minor volume of measures for safety at work as the one defined by this Regulation or by the legislation in force, can not be agreed by a written agreement.

In the event more contractors or subcontractors act for a particular issue, all contractors resp. subcontractors have to be stated in the Addendum to the written agreement. The contractor shall be obliged to produce a written agreement for all its own subcontractors and partners. Any participant intending to perform work in the Port of Koper area shall be obliged to be acquainted with all safety measures and conclude a written agreement, whereby the employees in charge of the performance of health and safety measures at work shall must be defined as well the performance of joint safety measures must be harmonized.

The safety plan must be made out resp. the coordinator must be appointed for constructions sites as well as working sites falling under the Regulation on temporary or mobile construction sites.

3. OBLIGATIONS AND RIGHTS RELATED TO HEALTH AND SAFETY AT WORK

Article 5

Rights of persons related to the health and safety at work

In compliance with the regulations of safety at work any person shall have the right to:

- refuse the work, when facing the immediate threat for loss of life or danger to health for the duration of these dangers resp. until the implementation of requested safety measures,
- inform in written form the contact person in Luka Koper d.d. and request the removal of deficiencies at safety at work, if the latter, with respect to the professional qualifications and authorizations, considering the own safety, can not be removed or ensured by itself,
- to address directly to the competent inspection authority requesting the intervention, in the event the deficiency is not eliminated in a reasonable term,
- to first aid and rescuing in the event of an injury or sudden illness.

Rights and obligations of persons in relation to the safety at work, performing the work in the Port of Koper area, shall be defined in detail by an agreement on safety at work.

Article 6

Obligations of persons in the field of health and safety at work

Duties in the field of health and safety at work of persons shall be mainly the following:

- prior to the start of works they must be made acquainted with the work, instructions for a safe work and measures for safety at work, fire and environmental protection,
- prior to the start of work they must check and during the performance of work they must take care are no circumstances which may endanger its safety and health resp. represent the danger for other persons on the working site,
- take into consideration at work general and special measures as well as norms for the safety at work, resp. to organize, manage, control and perform the work carefully, in order to protect their own life and health as well as life and health of other persons at work and the equipment,
- use mechanized and other working equipment and personal protection safety equipment at work, professionally and for intended purposes, handling them in compliance with the instructions and taking care they are in perfect condition,
- warn promptly the supervisor about the circumstances which may endanger the safety and health and dangers for injuries,
- inform the supervisor about the state of health, whenever due to health, psychophysical and other reasons the person shall not feel able to work, in particular when the work may have an impact on the safety of others,
- promptly inform the supervisor and the security and surveillance service of Luka Koper d.d. on the phone number 05 6656 950 about any injury any person might have suffered and that in the role of testimony of the injury of other person or the accidental event, report about the circumstances, in which they have occurred,
- refuse resp. interrupt the work, when there is an imminent danger for life or health as long as such dangers lasts or until the necessary safety measures are not performed, and inform the superior about the refusal.

Article 7

Responsibilities of persons, organizing or managing the work

The person organizing or managing the work, shall mainly have the following responsibilities:

- organization of work taking into consideration the regulations and measure for safety at work,
- deployment of employees complying with professional competence requirements and medical fitness as well as technically perfect working equipment,
- provision of technical immersion and instructions for work to the person who shall directly manage the work, controlling if the work is performed with regard to the measures for safety at work,
- ensurance of harmonized work as concerns the safety of work at working site where more groups shall perform the work,

- provision or performance of the survey of the working site or the working equipment prior to the start of work,
- control, if the subordinates take into consideration safety measures in such an extent the safety at work is ensured in the event they shall use the working equipment and personal protection equipment for intentional purposes and with professional care,
- acting in compliance with the Rules establishment of alcohol levels and presence of the prohibited psychoactive substances in the Port of Koper area in the event there is a reasonable suspicion the worker is under the influence of alcohol or psychoactive substances,
- removal of the worker from the working site or from the working process who despite the warnings fails to take into consideration the measures for safety and in the event he uses the working equipment for unintended purposes and unprofessionally and who shall not wear the personal protective equipment at work or shall appear to be under the influence of alcohol or other psychoactive substances,
- performance or provision of necessary safety measures at request or warning of subordinates or surveillance personnel,
- prompt informing of security and surveillance center of Luka Koper d.d. on the phone number 05 6656 950 about each injury at work and incident or dangerous occurrence, which may endanger life and safety of employees at work and taking of requested safety measures,
- protection of the place of injury or dangerous occurrence and proofs which may explain the cause of the accident till the arrival of investigative bodies, notably in the event of a serious injury or accidental event resulting in a major material damage,
- provision of the first aid and rescuing in the event of the injury at work or a sudden illness,
- temporary stop of work if there are significant deficiencies in the safety at work, in the event himself shall not be in position to eliminate, and shall inform accordingly the superior in the organizational unit and the responsible person for safety at work in the organisational unit in the framework of which he performs its work,
- proposal to introduce the procedure against the person violating measures and norms related to the safety at work,
- careful investigation of circumstances in the event of occurrence of an injury at work of the subordinates,
- undertaking of other and adequate measures in relation to the safety at work.

Article 8

Prohibition of the use of alcohol and the use of psychoactive substances

The entry of any person under the influence of alcohol or under prohibited psychoactive substances in the Port of Koper, import or intention to bring in and consumption of alcoholic beverages or psychoactive substances, shall be considered a violation of a national legislation, this Company's regulation, employee's contract, or other contractual relationship. These issues shall be regulated by the Regulation on defining the alcohol misuse and the presence of prohibited psychoactive substances in the Port of Koper area.

Article 9

General measures related to the use of mobile phones, multimedia devices and computer equipment

In the Port of Koper area the use of **mobile phones and multimedia devices** shall be prohibited:

- while driving,
- at the working sites in the event of an imminent threat of injuries and
- while operating the equipment.

The use of a non-hands-free mobile phones shall be permitted only in places where such use shall not endanger the safety.

The use of radiotelephones shall be permitted only for the needs of the working process.

The computer equipment shall be permitted only in working processes taking into consideration the own safety and general safety in the Port of Koper.

In cases when the user of the phone and the use of multimedia device shall be urgent for a smooth operation of a working process, it shall be requested to respect the rules intended to ensure the own and general safety in the Port of Koper area.

4. ORGANIZATION OF IMPLEMENTATION OF HEALTH AND SAFETY AT WORK

Article 10

The president of the company (person registered in the company's register) or person authorized for the time of performance of activities or works shall be responsible for ensuring and performance of safety at work. Companies registered in Slovenia must comply with the applicable law governing the safety and health at work, whereas the companies registered in EU their national legislation, which have to be within the framework of directives related to the safety and health of work (e.g. Directive on introduction of measures for promotion of improvements of occupational safety (89/391/EGS). Other companies registered outside EU the appropriate legislation, valid in the country where the company is registered.

Any person may arrange the occupational safety and health within the framework of internal regulations and instructions for safe work. Irrespective of internal regulations of the participant udeleženca morajo udeleženci must respect the provisions of this Rules and legislation in force.

5. Obligations of inspection authorities

Article 11

Any person must inform the inspection authorities in accordance to the regulations, as for example about:

- start of the performance of works which are particularly dangerous and with risk to health, at least 15 days in advance,
- fatal injury, collective or other serious injury at work and any other injury at work resulting in more than three days absence from work,
- dangerous occurrences and events with a major material damage ,
- enforcement of the final inspection decision resp. the decision on imposed obligations,
- established occupational disease,
- other issues in compliance with the valid regulations.

6. PROVISION OF MEDICAL EXAMINATIONS

Article 12

Any person present in the Port of Koper area (lessees, contractors, control services and similar) must ensure, that their employees are in possess of valid medical examinations with respect to the risk assessment of the work place or other regulations, regulating this field and keep valid medical certificates. At any time, Luka Koper shall have the right to check the proofs and undertake actions in the event of the infringement of the legislation or internal acts, and remove this person from the Port of Koper area.

7. DECLARATION AND INVESTIGATION OF THE INJURY AT WORK

Article 13

Any person present in the Port's area shall have the duty to inform promptly his supervisors and the security and surveillance center of LUKA KOPER d.d. about any injury at work on the phone number 05 6656 950. Likewise, the inspection authority must be informed about a serious injury on the phone nr. 01 280 36 60, fax 01 280 36 77 or email gp.irsd@gov.si.

The Slovenian Maritime Administration must be informed about the injuries occurred on board vessels on the phone nr. 05 663 21 41 or fax nr. 05 663-21-02.

Any injury in the Por's area must be investigated. The participants must report the requested data about the involved persons and the occurrence, in the event Luka Koper d.d. shall carry out the investigation.

Luka Koper shall have the right to request all documentation related to the injury at work or material damage, and shall act in compliance with the Data Protection Law.

8. STATEMENT ABOUT THE SAFETY WITH RISK ASSESSMENT OF THE WORK PLACE

Article 14

Any person, performing the work in the Port of Koper area must be in possess of the statement on the safety jointly with risk assessment, which must be revised in compliance with the applicable law. The statement on safety of Luka Koper shall apply for all visitors.

At any time, Luka Koper has the right to have the insight in the statement on safety jointly with the risk assessment, but shall not be obliged to check.

9. OCCUPATIONAL SAFETY AND HEALTH TRAINING

Article 15

- Participants performing the work in the Port's area (lessees, contractors, control services, construction workers and similar).

The supervisor of any person present in the Port's area must ensure the professional qualifications and the qualifications from health and safety at work of their employees and keep record of valid certificates. Luka Koper d.d. shall have the right to check and reject the unqualified employees-persons and forward the request for the reimbursement of all costs and damage the company suffered because the services have been performed by contractor's unqualified worker resp. person.

- Visitors

Health and safety of any visitor shall be ensured by handing over the instructions for visitors or by means of graphical and textual warnings - warnings on tables or markings or by providing the accompaniment.

10. USE OF THE PERSONAL PROTECTIVE SAFETY EQUIPMENT

Article 16

This chapter regulates the use of personal protective equipment and equipment, by means of which the workers' injuries or disorders shall be prevented, and meanwhile their ensurance of hygienic conditions. The participants shall be obliged to provide themselves a special protection equipment (employer's obligation).

The performance of activities (work, movements) shall not be permitted in the Port of Koper area. Any participant in the port shall be obliged to use a personal protective safety equipment with respect to the dangers they shall be exposed to.

Only the personal protective safety equipment with declaration of conformity may be used which must be submitted at the request of the inspector or the safety and health at work department. The declaration of conformity is a document certifying the personal protective safety equipment is

manufactured in compliance with the valid regulations and statutory prescribed norms for safety at work. Each personal protective safety equipment must hold the label of EC conformity.

For any person present in the Port of Koper area (except in offices and vehicles, where there are no such risks) the use of fluorescent reflecting vest shall be compulsory. The use of the protective helmet shall be compulsory everywhere, where there is a danger of falling objects from height (stored goods or working equipment higher than 2 metres resp. the direct danger of falling object).

The use of open footwear and soft sole footwear (flip-flops, gym shoes, sandals, slip-on shoes and similar) shall not be allowed at work.

The control over the use of the personal protective equipment shall be performed by supervisors, health and safety personnel and security personnel from the Security Department.

The abovementioned subjects shall have the right and responsibility to remove from the working site or from the dangerous area any person who despite the warning, shall not use at work and at the working site the prescribed personal protective safety equipment. The employee using the prescribed personal protective safety equipment at work, or using it contrary to the producer's provisions, shall commit a serious violation, which shall be penalised by removal from the Port of Koper.

11. HANDLING OF HAZARDOUS SUBSTANCES

Article 17

The purpose of the handling shall be to ensure:

- safe handling with hazardous substances in the Port of Koper area in compliance with the Law on chemicals,
- safe storage of dangerous goods in the Port of Koper area,
- safe transshipment, acceptance and delivery of dangerous goods from the road and railway transport in compliance with the Law on transport of dangerous goods (ADR, RID),
- safe acceptance and delivery of dangerous goods from/on vessels in compliance with the legislation in this field.

Likewise, the responsibilities and actions to be taken in the event of emergencies occurring in the Port of Koper area shall be defined.

Any person must be in possess of all requested permits for handling with the hazardous substances. Any person involved in the transport of dangerous goods, must provide safety adviser for the transport of dangerous goods. Workers who shall come in contact with hazardous substances, must be trained for the work with hazardous substances.

The storage must be regulated in accordance with the legislation and the measures against the spillage must be taken. Dangerous goods must be kept in the original packaging, each hazardous substance must be marked with prescribed marks and labels. The user must be in possess of the safety list for each hazardous substance. The user must ensure safety measures in the storage of dangerous goods and the equipment in order to ensure the safety and actions to be taken in the event of emergencies.

Dangerous goods must be recorded in an appropriate manner and timely reported to Luka Koper d.d.. Luka has the right to stop the transport of dangerous goods, in the event the legal person fails to declare and mark dangerous goods in appropriate manner. Likewise, it shall not undertake any responsibility in this respect.

In the event of leakage or of suspicion of leakage, Luka Koper d.d. shall have the right to stop the time of transport of hazardous substances and charge all costs incurred in this respect (laboratory analysis of hazardous substance, transport of dangerous goods up to the storage area, storage of dangerous goods on a special place, protection of the decanting and decontamination and similar).

Also the information about dangerous goods destined to the ships' supply must be reported to Luka Koper d.d. (Surveillance and Security Service) in a form of an email or fax message, to which the safety data sheet must be enclosed.

In the event of an exceptional event such as leakage, spillage, fire, obvezno obvestiti VNC – 00386(0)5 6656950. Security and surveillance service and emergency services shall be obliged to forward data from safety data sheet on hazardous substances.

12. CHECKS AND TESTS OF THE WORKING EQUIPMENT

Article 18

Any person present in the Port of Koper area must ensure that his working equipment and the port facilities are in line with the applicable law and safe for use. All working equipment must be provided with the certificate of conformity and all necessary authorizations. The working equipment must be checked within terms required by regulations on health and safety at work.

Registered vehicles must be in equipped with a valid registration, vehicles for internal use must be checked pursuant to the regulations on the safety and health at work.

At any time, Luka Koper d.d. shall have the right to check the proofs. In the event the working equipment or the vehicle shall not meet the minimum safety requirements laid down in regulations, Luka Koper d.d. shall have the right to forbidden the use or even remove the working equipment from Luka Koper d.d. on the working equipment owner's expense.

13. WORK ON BOARD SHIPS

Article 19

Prior to the vessel's arrival in the Port of Koper risp. prior to the start of works, the shipping agent shall be obliged to acquaint the vessel's command about general actions, who must prepare the vessel (shipping space, cargo) and ensure all safety measures.

The vessel's command and shipping agent shall be obliged to give notification about all elements and cargo, which may have an impact on the safety in the Port of Koper timely.

Prior to the start of works in Luka Koper, the vessel's command/ the shipping agent shall be obliged to deliver the requested documentation about the cargo (stowage plan, cargo plan, cargo gear, fixing points and other documentation) in due time in order to ensure a regular and safe work.

During the performance of handling operations the vessel's command must constantly monitor and cooperate with Luka Koper d.d. representatives (provide timely and accurate instructions, adopt measures in order to ensure the safety). Upon the occurrence of any deficiencies, it shall be liable to act promptly. A big attention has to be destined to the vessel's stability.

The vessel's crew must ensure that the oxygen concentration and eventual hazardous substances in the shipping space shall be within the framework of permitted limits. In the event of any doubt Luka Koper d.d. shall reserve the right to carry out additional measurements.

In the event the dangerous goods are carried on the vessel, the vessel's command shall be obliged to report this information.

II. VIOLATIONS AND MEASURES

Article 20

Violations of duty in the field of health and safety at work

The following violations, but not exclusively, shall be considered as serious safety at work violations:

- working without a valid medical certificate or the certificate about professional qualifications,
- performance of works for which the worker is not skilled (e.g. heavy machinery driver of C category operating the loader, signalman without qualifications, and similar),
- non-observance of procedures for safe work (lifting of persons with the forklift without the safety cage), transport of persons with the forklift, use of the working equipment which is not in compliance with its purpose),
- intentional or negligent causing of the damage,
- presence at working site or in the Port's area under the influence of alcohol or other psychoactive substances, which may have an impact on the safe performance of work,
- non-declaration or false declaration of the injury,
- failure to notify about facts and circumstances which may have as a consequence a serious worker's serious physical and health problems.

In the event of major violations, the following measures may be implemented:

- written notification to the violator,
- termination of the performance of activity,
- removal of the violator and the prohibition to enter the Port of Koper area – temporary or permanent withdrawal of the access permits,
- notification to the violator's employer,
- termination of the contract.

As minor violations, but not exclusively, shall be considered for example the following:

- non- wearing of personal protective safety equipment (reflecting vest, protective footwear, f gloves and similar), ,
- performance of work, which is not in compliance with the doctor's recommendations (temporary or durable / permanent limitations),
- work over 12 hours, non observance of daily or weekly rest ,
- non-use, removal or damaging of safety equipment and warnings on the working equipment,
- failure to respect floor and other markings,
- traffic offenses: to exceed the speed limit, improper parking, driving outside transport lanes,

In the event of less serious violations the following measures may be implemented:

- interruption of the performance of activity and removal of irregularities,
- written notification to the infringer.

Transitional and final provisions

Article 21

Head of Environmental, Health and Safety Department shall be in charge of surveillance and regular implementation of this Company's Regulation.

Article 22

(Final provision)

This Regulation was adopted by the Management Board of Luka Koper d.d. and shall enter into force as from the date of its adoption.

Heads of organisational units shall be obliged to bring this Regulation to the attention of the employees.

Any other person operating with Luka Koper d.d. in the Port of Koper area shall be also acquainted with this Regulation.

This Regulation shall be published on the Luka Koper d.d. website.

Article 23

With effect from the date of the entry into force of this Regulation, the »Regulation on providing health and safety at work in the Port of Koper « adopted on December 23, 2014 shall expire.

Stojan Čepar

Dragomir Matić

Member of the Management Board – Labour Director

President of the Management Board