



## Formal statement of obligation for outside companies

### § 1 General

- (1) The contractor and its vicarious agents are hereby granted the revocable permission to enter the company premises of GROHE where their contracted work is to be carried out, to perform the services incumbent upon them, in accordance with the following terms.
- (2) The contractor is also responsible for its vicarious agents' compliance with these terms and shall brief them on the following terms and ensure that they are adhered to.
- (3) An appointed GROHE project co-ordinator co-ordinates the exchange of necessary information as well as the controlled progress of activities in order to prevent the danger of accidents, work-related illnesses and downtimes, especially due to the likelihood of GROHE and contractor/supplier employees putting each other at risk (e.g. due to setting up and operation of a construction site, the use of hazardous substances)
- (4) GROHE is authorized to issue directives concerning the contractor and its vicarious agents at any time, especially to maintain operation and ensuring safety. Normally, this authorization is realised by the appointed GROHE project co-ordinator.
- (5) After finishing work and before leaving the company premises the contractor and its vicarious agents are supposed to give a notice of departure to the GROHE project co-ordinator alternatively leaving the company premises in another documented way.

### § 2 Plant safety and general traffic safety

- (1) Road Traffic Regulations are in force within the company premises. The speed limit is walking pace unless displayed differently. Motorists must always show consideration for pedestrians and inhouse traffic.
- (2) Motor vehicles can only be parked in the parking spaces provided and allocated. Vehicles are not allowed to obstruct or endanger in-plant traffic. Especially marked escape routes and access routes for fire engines and emergency vehicles must be kept free at all times. Otherwise, the security personnel are entitled to remove the vehicles at the expense of the registered users.
- (3) It is expressly forbidden to enter any departments other than those allocated for carrying out the relevant work or to be on the company premises at any times other than those provided for the performance of the work.
- (4) Persons may only enter areas marked out-of-bounds with the permission/in company of the responsible GROHE member of staff.
- (5) In the case of building, excavation, demolition and overhead work, areas must be closed off in accordance with safety regulations and appropriate warning signs must be put up.
- (6) Barriers around closed off areas and all types of warning signs must be lit up when it is dark or equipped with flashing warning lights.
- (7) Ladders, scaffolding and aerial work platforms must be set up in accordance with regulations and must only be used as intended.
- (8) The contractor and its vicarious agents are forbidden to carry out any private business transactions on the company premises.
- (9) The client is not liable for materials, devices, tools or any other type of object lost on the company premises that are brought onto or stored on the company premises by the contractor or its vicarious agents.
- (10) Alcoholic drinks may not be brought onto or consumed during work. This prohibition especially applies on the company premises. Obviously inebriated contractors/suppliers respectively their vicarious agents (alcoholic breath, conspicuous behaviour, etc.) are expelled immediately from the company premises. Resulting disadvantages (delay, cost increase, etc.) are at the expense of the contractor/supplier.
- (11) The contractor accepts the obligation to ensure general traffic safety when carrying out its contracted work, it is solely responsible for the supervision of its vicarious agents and is liable for violations of the obligation to ensure traffic safety and/or the duty of supervision. It releases the client from compensation claims made by third parties, which result from a violation of the obligation to ensure traffic safety or the duty of supervision or are otherwise the responsibility of the contractor.

### § 3 Fire protection / fire

- (1) Smoking is prohibited generally, except for specially marked areas.
- (2) Naked flames are not allowed.
- (3) Flammable materials must be stored away from the buildings. The storage of materials must be stable and self-contained. Admissible storage heights must be observed.
- (4) Flammable liquids must be stored in suitable metal containers and the contents must be precisely indicated. Only quantities needed for the immediate operations are to be provided.
- (5) When working with naked flames and carrying out other tasks which entail a risk of fire, suitable fire extinguishing devices are to be provided by the contractor.
- (6) The functioning of danger alarm systems and fire protection systems (e.g. sprinkler system) must not be impaired or disrupted by the contractor or its vicarious agents while carrying out their work. The contractor is responsible for providing first aid facilities and for ensuring that those persons carrying out the work are informed of the most important emergency phone numbers. If a fire protection system (e.g. sprinkler system) is to be switched off, the GROHE project co-ordinator, the GROHE fire safety engineer, the GROHE fire safety engineer or another supervisor should be informed and his approval obtained.
- (7) In case of fire, all efforts must be made to guarantee access for the fire brigade and other relief organisations and workers.

### § 4 Welding and cutting

- (1) Welding and cutting may only be carried out by (or under supervision of) qualified staff (ISO 9606) and when a "GROHE Certificate of Authorisation" has been filled out (list of measures/working with naked flames).

### § 5 Safety guidelines, health, safety & environment protection

- (1) The contractor is responsible for the health and safety of its vicarious agents. This is including the physical respectively medical fitness of its employees to conduct the contracted work; about which the contractor has to give proof upon request by GROHE.
- (2) If the contractor or its vicarious agents are working on single-user workstations, the contractor has to provide appropriate safeguarding measures for his employees on its own (e.g. deadman control).

- (3) The contractor and its vicarious agents are to inform themselves about the current accident prevention regulations that must be closely observed, other generally accepted health and safety rules, technical guidelines on electrical devices, environmental protection regulations, as well as fire protection measures. They are to observe and comply with these rules without exception.
- (4) The contractor is to provide adequate insurance cover for the risks resulting from the work of its own vicarious agents and those it deploys, and it is to provide the client with proof of this on demand.
- (5) The contractor ensures, that he and its own vicarious agents are operating approved (Europe: CE mark), safe and regularly checked working appliances (tools, equipment, machinery, assets), only, which are suitable for the given conditions at the workplace and guarantee safety and health protection when being used in the intended manner.
- (6) The contractor is to provide updated Material Safety Data Sheets (MSDS) and updated Operating Instruction on-site (GROHE), always, if the contracted work is including handling of hazardous substances.
- (7) Before activities are commenced, a risk assessment is to be carried out. As part of this assessment, the GROHE project co-ordinator shall notify the outside company/companies of any sources of danger and specific codes of conduct on site. All companies involved will provide the coordinator with the safety relevant information and, if available, existing risk assessments on the necessary tasks as well as information on the protective measures implemented. The results of the joint risk assessment and protective measures which have been specified are to be documented by all those involved.
- (8) Before commencing demolition, improvement and maintenance work, the GROHE project co-ordinator, as part of the risk assessment, shall provide any relevant information, in particular on the existence of hazardous substances, e.g. asbestos.
- (9) N.A.
- (10) Personal protection equipment is to be provided and used by the contractor.
- (11) Walkways and passages are to be kept free of objects, so as to ensure the freedom and safety of movement of materials and personnel.
- (12) Escape routes must be kept free at all times.
- (13) When working on electrical devices, safety measures are to be taken so that the device is not switched back on accidentally.
- (14) Compressed gas containers must be secured to prevent movement when they are in use or being transported on the company premises.
- (15) During normal working hours, the GROHE company doctor and/or medical facilities are only to be used for first aid.

**§ 6 Waste/residues**

- (1) The contractor/supplier is itself responsible for the disposal of all waste/residues resulting from the work (normal case) unless different procedures are necessary due to legislation or expressly agreed between GROHE and the contractor/supplier and recorded in writing (special case).
- (2) In normal cases containers belonging to the client must not be used for this purpose. Waste and residues are to be stored temporarily in suitable containers belonging to the contractor/supplier, so that they do not constitute a danger. Especially liquid waste/residues, oily cloths and flammable liquids must be stored in non-flammable containers respectively according to appropriate legislation and to be labelled appropriately
- (3) Chemical waste/residues and other hazardous material (e.g. oil, acids, bases) must not be poured down the drains in general (e.g. no rinsing of containers, no leakage of other liquids).

**§ 7 Data/information**

- (1) The contractor and its vicarious agents are forbidden to themselves use any form of information or knowledge acquired while on the company premises, except for the purpose of carrying out their contracted work, for their own purposes or to pass this on to third parties. Drawings, specimens, plans, construction and assembly instructions etc. which are made available to the contractor or its vicarious agents by the client remain the property of the client and may only be used for the purpose of carrying out the contracted work.
- (2) It is forbidden to copy written documents, or to duplicate information contained in other storage media (e.g. floppy discs, tapes, CD, memory-stick, photocopies, photographs) which the contractor comes into contact with while on the company premises. Photographing on the company premises is only allowed with written permission from the GROHE project co-ordinator responsible.
- (3) Regulations regarding the protection of confidential data are to be observed. In particular,
  - a) it is forbidden to process or use personal data without authorisation. This prohibition continues to exist even after work on behalf of the GROHE Group has finished.
  - b) current regulations on handling personal data and its protection are to be observed.
  - c) the necessary care is to be taken to protect personal data connected to the allocated work; any deficiencies discovered are to be reported.
  - d) it is forbidden to falsify data, programs or procedures, or to produce false data, programs or procedures, or to deliberately use false or falsified data, programs or procedures.
  - e) passing on personal data to a third party is only permitted if the person in receipt of the data has the right to see this data because of a legal regulation.

\_\_\_\_\_  
Place, date

\_\_\_\_\_  
Contractor's signature, company stamp if applicable

Name of GROHE project co-ordinator: \_\_\_\_\_

Name of the contractor's representative \_\_\_\_\_

Declaration: All parts of this formal statement of obligation that could give rise to questions have been discussed. The following additional measures are hereby agreed:

\_\_\_\_\_  
\_\_\_\_\_

Copy given to the contractor's representative      \_\_\_\_\_      \_\_\_\_\_      \_\_\_\_\_  
Date      Signature of project co-ordinator      Signature of contractor's representative