



PROCEDURE FOR NOTIFYING IRREGULARITIES

in the JSW Group

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GLOSSARY

COMPLIANCE – ensuring observance of the law, internal regulations as well as voluntarily adopted standards of conduct.

MANAGEMENT BOARD MEMBER – a person serving as member of the Company's Management Board.

PROHIBITED ACT – a socially harmful act (action or omission), prohibited under penalty of the law in force at the time of its commission in the Republic of Poland. Corruption is a particular example of a prohibited act.

COMPLIANCE FUNCTION – a set of activities undertaken in order to ensure the compliance of JSW Group's operations with legal regulations, norms, recommendations or voluntarily adopted standards of conduct as part of the Company's Compliance System.

JSW GROUP – JSW Group, i.e. JSW and its subsidiaries in the meaning of the accounting laws applied by JSW.

JSW – Jastrzębska Spółka Węglowa S.A.

COMPLIANCE CELL – an organisational cell competent for compliance matters in accordance with the current organisational chart of the Office of the Management Board of JSW S.A., in charge of implementing, functioning and updating the compliance function.

COUNTERPARTIES – natural or legal persons being a party to a commercial transaction with the Company.

COMPLIANCE COORDINATOR – a person or an organisational cell designated at the level of the Company or a JSW S.A. Facility for coordinating the compliance function, functionally subordinate to the Compliance Cell.

CORRUPTION – the act of promising, proposing, giving, requesting, accepting, inciting or aiding by any person, in any way, in violation of applicable law, any undue financial gain, personal or otherwise, for themselves or for any other person, or accepting a proposal or promise of such benefits in exchange for an act or failure to act in the performance of official duties by and on behalf of the Company. These activities especially include bribery, graft, influence peddling or economic corruption.

IRREGULARITY – breach and/or potential breach by an Obligated Entity of the provisions of the law or the standards of conduct and internal regulations adopted by the Company, or a state (e.g. organisational, regulatory) that is conducive to the occurrence of the above-mentioned violations. Therefore, every Prohibited Act or Alarm Signal is an irregularity.

ATTORNEY / REPRESENTATIVE – a natural or legal person who is authorised to act (i) on behalf of the Company, (ii) on its own behalf for the Company, as well as a person who (iii) is not authorised but is taking factual or legal action for the Company.

OBLIGATED ENTITY

- Company,
- Management Board member,
- Employee,
- Worker,
- Counterparty,
- Attorney / representative.

EXPLANATORY PROCEEDING – a proceeding being conducted in relation to a submitted Report. A proceeding is conducted in line with internal regulations, and especially on the basis of the obligations and rules set out in the Compliance System.

EMPLOYEE – a person employed by the Company.

PROCEDURE – this procedure for reporting irregularities.

COMPANY – a company being part of JSW Group.

ALARM SIGNALS – information or circumstances indicating that, in a given situation, an Obligated Entity may take actions that may be considered as Irregularities.

SYSTEM COMPLIANCE – a management system implemented on the basis of this Procedure, Policies and other regulations for counteracting Irregularities.

WORKER – a person performing work for the Company under a contract other than an employment contract.

FACILITY – separate organisational unit indicated in JSW S.A.'s Organisational Regulations.

REPORT – The provision of information on Irregularities.

MANAGEMENT BOARD – The Company's Management Board.

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INTRODUCTORY INFORMATION

1. JSW Group heavily emphasises corporate responsibility, respect for human rights, environmental protection as well as the combating of corruption and abuses both in the organisation and within its business environment.
2. The Companies operate and build their market position based on respect for the rule of law, good commercial practices and the highest ethical standards. The Companies' market position and reputation are the effect of consistency in doing business in the country and abroad in line with our values. Protecting and strengthening of the Companies in this respect constitute one of the key objectives of regulations that together make up the Compliance System.
3. This Procedure is an element of the Compliance System, the purpose of which is to prevent Irregularities, and in effect it should be interpreted in a manner consistent with the provisions of other rules and obligations set out in the Compliance System.
4. The objective of this Procedure is to introduce consistent rules for reporting irregularities regardless of their nature.
5. Procedure is not intended for reporting general work-related problems that do not constitute Irregularities. These issues should be resolved within the existing employment relations or other dedicated internal regulations in effect at the Company.
6. This Procedure implements the law, accepted market standards and rules of conduct, in particular:
 - a) the Act amending the Act of 16 October 2019 on public offerings and the conditions for introducing financial instruments to an organised trading system and on public companies and certain other acts (Polish Journal of Laws of 2019, item 2217),
 - b) Regulation (EU) 2017/1129 of the European Parliament and of the Council of 14 June 2017 on the prospectus to be published when securities are offered to the public or admitted to trading on a regulated market, and repealing Directive 2003/71/EC (Journal of Laws EU L 168 of 30 June 2017).

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RULES FOR REPORTING IRREGULARITIES

1. Everyone has the right to report information on Irregularities.
2. Reports can be submitted:
 - a) in person - to the Compliance Cell or Compliance Coordinators,
 - b) using the general email address compliance@jsw.pl or a dedicated email address at each of the Companies (these email addresses are listed in appendix 1).
3. Reports should be submitted using the report template that constitutes appendix 2 to this Procedure. Every report filed in a correct manner, including anonymous reports, will be examined. However, clarifying a matter submitted anonymously may be more difficult or even impossible due to it being not possible to obtain additional information.
4. A report will not be examined if it is obviously unjustified or when it is entirely impossible to verify the circumstances referred to in the Report.
5. If it is possible to contact the reporting person, this person is notified that the report has been received. This does not apply when the reporting person does not consent to a confirmation of receipt or when sending the confirmation could jeopardise the protection of this person's identity.
6. A lack of sufficient information necessary to credibly clarify an Irregularity may be equivalent to the discontinuance of the Explanatory Proceeding.
7. Reports and Explanatory Proceedings are confidential and will be examined with due diligence.
8. A person submitting a Report in good faith, a person on whose behalf a Report was made and entities that the Report concerns are entitled to protection, including identity protection. Provided that the Report is submitted in good faith, even if it turns out to be false, it cannot constitute the basis for liability or consequences for the reporting person. Especially, a person submitting a Report and a person on whose behalf a Report is submitted have the right to not disclose data that would allow their identification, and the submission of a Report may not in any way lead to their demotion, being left out of a promotion, reduction of remuneration or termination of an employment contract or cooperation. Subject to protection are persons who:
 - a) are certain of the validity of their Reports,
 - b) are not acting maliciously,
 - c) are not expecting any personal or material benefits.
9. A person submitting a Report in good faith is protected against manifestations of unequal treatment, especially discrimination or repressions in the event that an Explanatory Proceeding finds that the Irregularity did not take place.

10. Reports submitted in bad faith can result in disciplinary consequences for their author.
11. Bad faith occurs especially when the reporting person knows or – if due diligence was exercised - should know that the Irregularities being reported are false or unjustified, and an instigated proceeding may lead to negative consequences for the addressee.
12. The identity of the reporting person can be disclosed:
 - a) with this person's permission,
 - b) at the request of an authorised authority.Contrary to the rule, the identity of the person indicated in the Report as well as other information enabling the identification of the reporting person may be disclosed when such disclosure is a necessary obligation of the Company resulting from generally applicable law in the context of proceedings conducted by national authorities, and in particular, disclosure may take place at the request of the court or prosecutor.
13. Repressive, discriminatory actions or other types of unfair treatment against the following are not tolerated:
 - a) reporting person,
 - b) persons participating in the Explanatory Proceeding,
 - c) person whom the Report concerns.Breaching the above rule may constitute basis for disciplinary action.
14. A reporting person who becomes the target of repressive or discriminatory actions should notify the Compliance Cell or Compliance Coordinator.
15. Every Obligated Entity must report Irregularities and other circumstances that may lead to concerns. Every Obligated Entity should support the Companies in their efforts to ensure compliance with the provisions of this Procedure.
16. Failure to comply with the obligation to submit a Report may cause adverse effects for the Obligated Entity that evades this obligation..
17. All Reports are examined only by authorised persons on the basis of regulations that make up the Compliance System, subject to the necessity to transfer the Report based on separate laws.

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FINAL PROVISIONS

1. Compliance with the provisions of this Procedure does not exempt from the application of the provisions of generally applicable law.
2. Actions aimed at clarifying the reported Irregularities will be taken immediately, however the final duration of the Explanatory Proceeding is influenced in particular by:
 - a) nature of the matter and degree of complexity,
 - b) necessity to involve people from outside of the Company,
 - c) scope of the matter and number of people involved.
3. Rules for the processing of personal data are specified in the Irregularity Report form, which constitutes Appendix 2.
4. The Compliance Cell or a locally competent Compliance Coordinator provides updates on Reports on an on-going basis to the President of the Management Board, and in special cases to the Supervisory Board.

APPENDIX 1

LIST OF EMAIL ADDRESSES FOR SUBMITTING REPORTS

JSW S.A. and GK JSW	compliance@jsw.pl
BTS sp. z o.o.	compliance@btsdg.pl
Carbotrans sp. z o.o.	compliance@carbotrans.com.pl
CLP-B sp. z o.o.	compliance@clpb.pl
Hawk-e sp. z o.o.	compliance@hawk-e.pl
JSK sp. z o.o.	compliance@jsk.pl
JSU sp. z o.o.	compliance@jsu.pl
JSW Innowacje S.A.	compliance@jswinnowacje.pl
JSW IT Systems sp. z o.o.	compliance@jswits.pl
JSW Logistics sp. z o.o.	compliance@jswlogistics.pl
JSW KOKS S.A.	compliance@jswkoks.pl
JSW Ochrona sp. z o.o.	compliance@jswochrona.pl
JSW SIG sp. z o.o.	compliance@jswsig.pl
JSW Zwałowanie i Rekultywacja sp. z o.o.	compliance@jsw-zir.pl
JZR sp. z o.o.	compliance@jzr.pl
JZR Dźwigi sp. z o.o.	compliance@jzr-dzwigi.eu
PBSz S.A.	compliance@jswpbsz.pl
PGWiR S.A.	compliance@pgwir.pl
ZREM-BUD Sp. z o.o.	compliance@zrem-bud.pl

APPENDIX 2

IRREGULARITY REPORT

Form for the reporting person

How to report irregularities		<input type="checkbox"/> I do not want to provide my personal data (anonymous report) <input type="checkbox"/> I will provide my personal data		
Whom do I report irregularities to				
1.	Company / unit that the report concerns			
2.	Reporting person	First name:		
		Last name:		
		Address:		
		Contact number:		
		Email:		
3.	Has the irregularity report been submitted to another organ / institution / office / unit etc.?	<input type="checkbox"/> YES <input type="checkbox"/> NO		
		Recipient		
4.	Basic information on the irregularity being reported	Date / period:		
		Location:		
		Description of the event:		
5.	Witness list	No.	First and last name	Contact details (if possible to determine)
		1.		
		2.		
		3.		
		4.		
		5.		

6.	Evidence list	No.	Evidence	Short explanation of how the evidence is significant to the matter along with information on where the evidence can be obtained (<i>if the evidence is not attached to this appendix</i>)
		1.		
		2.		
		3.		
		4.		
		5.		
7.	Attachments to this report	No.	Document description	
		1.	Information clause for the reporting person	
		2.		
		3.		
		4.		
8.	Declarations and signatures Date	<input type="checkbox"/> I confirm that I have examined and accept the content of the information clause attached to this irregularity report.		
		<input type="checkbox"/> I declare that I am fully aware of the potential legal consequences of an irregularity report submitted in bad faith. I am also fully aware of the fact that bad faith occurs especially when as the reporting person I know or – if due diligence was exercised – I should know that the irregularities being reported are false or unjustified, and that an instigated proceeding may lead to negative consequences for the addressee.		
		Date / city		Signature of the reporting person

Form for the report recipient

Date of receipt	Method of submission	Case number	Signature of the report recipient
	<input type="checkbox"/> In person <input type="checkbox"/> Electronically <input type="checkbox"/> Other (.....)		

The Information Clause aims to ensure compliance with legal obligations imposed on the Data Controller by 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 (the General Data Protection Regulation).

Glossary:

JSW Group – JSW Group, i.e. JSW and its subsidiaries in the meaning of the accounting laws applied by JSW. A list of companies being part of JSW Group is available at: <https://www.jsw.pl/o-nas/grupa-jsw/>.

JSW – Jastrzębska Spółka Węglowa S.A.

Irregularity – Breach and/or potential breach of the provisions of law or the standards of conduct and internal regulations adopted by the Company, or a state (e.g. organisational, regulatory) that is conducive to the occurrence of the above-mentioned violations.

GDPR – 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 (the General Data Protection Regulation).

Report – The provision of information on Irregularities.

Pursuant to art. 13 and art. 14 GDPR - taking into account the obligations imposed on the personal data Controller – we announce that:

The data that we are processing was received directly from the person that it concerns or was provided by the persons reporting the irregularity.

1. The controller for your personal data is a JSW Group company that is processing your report. Presented below is a full list of JSW Group companies::

- | | |
|--|--|
| 1. Jastrzębska Spółka Węglowa S.A. | Al. Jana Pawła II 4, 44-330 Jastrzębie-Zdrój |
| 2. Jastrzębska Spółka Kolejowa Sp. z o.o. | ul. Górnicza 1, 44-330 Jastrzębie-Zdrój |
| 3. JSW Ochrona sp. z o.o. | ul. Armii Krajowej 39, 44-330 Jastrzębie-Zdrój |
| 4. JSW Szkolenie i Górnictwo Sp. z o.o. | ul. Węglowa 4, 44-268 Jastrzębie-Zdrój |
| 5. Jastrzębskie Zakłady Remontowe Sp. z o.o. | ul. Węglowa 4, 44-268 Jastrzębie-Zdrój |
| 6. JSW KOKS S.A. | ul. Pawliczka 1, 41-800 Zabrze |
| 7. Centralne Laboratorium Pomiarowo-Badawcze Sp. z o.o. | ul. Rybnicka 6, 44-335 Jastrzębie-Zdrój |
| 8. JSW IT Systems Sp. z o.o. | ul. Armii Krajowej 56, 44-330 Jastrzębie-Zdrój |
| 9. JSU Sp. z o.o. | ul. Rybnicka 6, 44-335 Jastrzębie-Zdrój |
| 10. JSW Innowacje S.A. | ul. Paderewskiego 41, 40-282 Katowice |
| 11. Przedsiębiorstwo Gospodarki Wodnej i Rekultywacji S.A. | ul. Chlebowa 22, 44-335 Jastrzębie - Zdrój |
| 12. JSW Logistics Sp. z o.o. | ul. Paderewskiego 41, 40-282 Katowice |
| 13. JSW SHIPPING Sp. z o.o. | ul. Kołtąta 1, 81-332 Gdynia |
| 14. ZREM-BUD Sp. z o.o. | ul. Koksownicza 1, 42-523 Dąbrowa Górnicza |
| 15. BTS Sp. z o.o. | ul. Solankowa 57, 88-100 Inowrocław |
| 16. Carbotrans Sp. z o.o. | ul. Pawliczka 1, 41-800 Zabrze |
| 17. JASTRZĘBSKIE ZAKŁADY REMONTOWE DŹWIGI Sp. z o.o. | ul. 11 Listopada 71, 44-335 Jastrzębie-Zdrój |
| 18. Hawk-e Sp. z o.o. | ul. Paderewskiego 41, 40-282 Katowice |
| 19. JSW ZWAŁOWANIE I REKULTYWACJA Sp. z o.o. | ul. Chlebowa 22, 44-335 Jastrzębie-Zdrój |
| 20. Przedsiębiorstwo Budowy Szybów S.A. | ul. Hutnicza 5-9, 42-600 Tarnowskie Góry |

2. Each of the Companies has designated a person responsible for the protection of personal data, whose details are available at that Company's website.

3. Personal data will be processed:
 - a) based on art. 6 sec. 1 letter f) GDPR, i.e. for the purposes of legitimate interests pursued by the controller, in order to:
 - analyse the Report;
 - maintain a Report register;
 - archive Reports for evidence purposes to safeguard information should a legal need arise to present facts;
 - prepare reports summarising the undertaken activities and carry out statistical analyses.The above is intended to ensure the company's legal and financial security, including by preventing fraud and abuses.
 - b) in connection with compliance with the Controller's obligations resulting from the law.
4. The recipients of your personal data - in as far as it is necessary for the purposes of processing your personal data - may include: (a) JSW Group companies, in as far as it pertains to their matters, (b) entities providing advisory, verification, consulting, accounting, tax, audit, inspection services, (c) entities providing IT and/or ICT systems services, (d) entities providing document archive management services, (e) entities providing postal and/or courier services, (f) public regulatory bodies, institutions or third parties authorised to demand access to or receipt of personal data in accordance with the law.
5. Your personal data may be transferred outside of the European Economic Area ("EEA"). This may be the case if an irregularity report concerns entities from outside the EEA or if the Controller commissions certain services to entities based outside the EEA or to entities that process data outside the EEA. Your personal data may be transferred only to those countries ("third countries") or entities in third countries outside the EEA that are deemed, through a decision of the European Commission, as having a sufficient level of data protection or with which agreements containing standard data protection clauses are executed. In connection with data processing outside the EEA, you are entitled to demand additional information from the Controller regarding the applied precautions, obtain a copy of these precautions and information on the location where they are available by contacting the Controller in a manner specified in this document.
6. The Controller will process personal data for a period that is necessary to register and handle the report and subsequently to store it for the purposes of documenting the activities undertaken or in the event that new circumstances concerning the report are disclosed, it is necessary to make documentation available to law enforcement authorities, control institutions, courts or if claims arise, for a period necessary to resolve these.
7. The reporting person has the right to: (a) access his/her personal data, (b) rectify the personal data, (c) remove the personal data, (d) limit the processing of personal data, (e) object to the processing of personal data.
8. You have the right to lodge a complaint with a supervisory authority, i.e. the President of the Personal Data Protection Office, in the situations specified in art. 77 sec. 1 GDPR,
9. The provision of personal data in the Irregularity Report form is voluntary.
10. Your personal data will not be processed by automated means and will not be subject to profiling.