

SPLIT PAYMENT MECHANISM CLAUSE

1. Contractual payment shall be made in the split payment mechanism referred to in the VAT Act of 11 March 2004 (consolidated text Journal of Laws of 2018, item 2174 as amended) only to the bank account (indicated by the Supplier/Contractor) listed in a VAT taxpayer register kept by an appropriate authority (so-called: White List). It applies both PLN and foreign currency bank accounts.
2. If the payment cannot be made in the manner indicated in clause 1 above due to:
 - 2.1. the lack of the bank account number (indicated by the Supplier/Contractor) on the White List or
 - 2.2. the Supplier/Contractor's failure to indicate the bank account number in PLN listed on the White List for the payment of part of the gross price corresponding to VAT (applicable to cases where the Supplier/Contractor has indicated the bank account in a foreign currency for the payment of the net price),

PKN ORLEN S.A. shall be entitled to withhold the payment (for the Supplier/Contractor) of respectively: remuneration (in the case referred to in point 2.1 above) or the part of remuneration corresponding to VAT (in the case referred to in point 2.2 above).
3. In the case indicated in clause 2 above the payment shall be made within 7 working days from (respectively): the day following the day in which the Supplier/Contractor informs PKN ORLEN S.A. about the appearance of its bank account number on the White List (in the case referred to in clause 2 point 2.1 above) or the day following the day of indication by the Supplier/Contractor to PKN ORLEN S.A. the bank account number in PLN listed on the White List (in the case referred to in clause 2 point 2.2 above).
4. The Parties agree that the occurrence of the circumstances referred to in clause 2 above releases PKN ORLEN S.A. from the obligation to pay default interest for the period between the payment date specified in the Contract and the date of the payments referred to in clause 3 above made by PKN ORLEN S.A. to the Supplier/Contractor.