

ORLEN CAPITAL GROUP CLAUSE (referred to as the GK Clause) - Polish version

The will of the Parties to this Agreement is to expand cooperation between the Seller/Supplier/Contractor* and companies from the ORLEN Capital Group/ORLEN S.A.

In the event of a need to purchase services and/or goods that are the subject of this Agreement by companies from ORLEN S.A. Capital Group/ORLEN S.A., the Seller/Supplier/Contractor* undertakes to offer trade terms and conditions*** to companies from ORLEN S.A. Capital Group/ORLEN S.A., which are no less favourable than those set forth in the Agreement.

For the implementation of the above:

1) The Seller/Supplier/Contractor* agrees on disclosure of the content of the Agreement by ORLEN S.A. to the companies from ORLEN Capital Group and transfer of the information on ongoing basis between those Companies and ORLEN S.A. regarding the level of turnover achieved in connection with conclusion of agreements with the Seller/Supplier/Contractor*.

The Seller/Supplier/Contractor* is obliged to conclude a separate agreement on the commercial terms and conditions *** that are no less favourable than those agreed upon in this Agreement / to sign an agreement on accession to the Agreement, which is attached in an Appendix to this Agreement, allowing the entity from ORLEN Capital Group to join the cooperation terms described in this Agreement**. The Seller / Supplier / Contractor* undertakes to notify ORLEN S.A. each time about conclusion of a contract with a new entity / accession of a new entity** from ORLEN Capital Group to the Agreement.

In the event where a framework agreements have been previously concluded between the Seller/Supplier/Contractor* and a Company from the ORLEN Capital Group, which cover the subject of this Agreement, the Seller/Supplier/Contractor* undertakes to adjust the provisions of the previously concluded agreements to the terms resulting and conditions of this Agreement if they are more beneficial to the Company

2) the Seller/Supplier/Contractor* agrees on disclosure of the content of the Agreement by the companies from ORLEN Capital Group to ORLEN S.A. and on transfer of the information on ongoing basis between ORLEN S.A. and those Companies regarding the level of turnover achieved in connection with conclusion of agreements with the Seller/Supplier/Contractor*.

The Seller/Supplier/Contractor* is obliged to conclude a separate agreement on the commercial terms and conditions *** that are no less favourable than those agreed upon in this Agreement / to sign an agreement on accession to the Agreement, which is attached in an Appendix to this Agreement, allowing ORLEN S.A. to join the cooperation terms described in this Agreement**. The Seller / Supplier / Contractor* undertakes to notify the Companies each time about conclusion of a contract with a new entity / accession of a new entity** - ORLEN S.A. to the Agreement.

In the event where a framework agreements have been previously concluded between the Seller/Supplier/Contractor* and ORLEN S.A., which cover the subject of this Agreement, the Seller/Supplier/Contractor* undertakes to adjust the provisions of the previously concluded agreements to the terms resulting and conditions of this Agreement if they are more beneficial to ORLEN S.A.

ORLEN S.A. and entities from ORLEN Capital Group will bear several liability for all acts or omissions under individual agreements concluded by them with the Seller/Supplier/Contractor*, in particular ORLEN S.A. will not be held liable for payment of any amounts that ORLEN Group entities are obliged to pay to the Seller/Supplier/Contractor* and the Company will not be held liable for payment of any amounts that ORLEN S.A. is obliged to pay to the Seller/Supplier/Contractor*.

*appropriate variant to be selected

** the relevant formula for the use of the contract with the GK clause by GK/PKNORLEN S.A. to be selected

*** an additional clause stating: "on an FCA Seller basis (in accordance with INCOTERMS 2010)" applies to contracts in the category of BIOCOMPONENTS