



Compliance Programme

**The programme for ensuring non-discriminatory treatment of
Storage Facility Users**

Gas Storage Poland sp. z o.o.

Preamble

The Storage System Operator (the “Operator”), on the basis of the license held, is an Energy Company engaged in the storage of gaseous fuels, responsible for the operation of the storage infrastructure, current and long-term safety of its operation, maintenance, repairs and necessary development, including interconnections with other gas systems.

According to the scope of its activity, the Operator pursues the objectives resulting from the Energy Law Act by contributing to creating conditions for sustainable development of the country, ensuring energy security, efficient and rational use of fuels and energy, developing competition, counteracting the negative effects of natural monopolies, taking into account the requirements of environmental protection, obligations resulting from international agreements and balancing the interests of energy companies as well as fuel and energy consumers.

The operator is an independent, impartial and transparent moderator of gas market development. The Operator’s infrastructure as well as information in its possession, acquired in the course of its activity and relevant from the point of view of non-discriminatory treatment of existing and potential Storage Facility Users, should be available within the limits of generally applicable laws and internal regulations of the Operator to all Storage Facility Users and potential Storage Facility Users on equal terms. The Operator’s refusal to make such infrastructure or information available, specifically on the grounds of trade secret (e.g. any asset-related or financial data concerning the network) shall not constitute a breach of the principle of non-discriminatory treatment of Storage Facility Users or potential Storage Facility Users. Also, when information is made available to the company’s shareholders as part of the owner’s supervision, in accordance with the company’s articles of association and generally applicable law, this shall not be deemed to constitute a breach of the principle of non-discriminatory treatment of Storage Facility Users and potential Storage Facility Users. The fact that the Operator is positioned within the structure of a Vertically Integrated Company must not affect the functions performed by the Operator, and the relations between the Operator and the Vertically Integrated Company and its subsidiaries should be shaped in accordance with the applicable laws. Agreements and procedures governing the cooperation of the Operator within the Vertically Integrated Company must be adapted to the applicable unbundling requirements.

The present Compliance Programme (the “Programme”) is established in performance of the Operator’s obligation under Article 9d(4) of the Energy Law Act to develop a programme specifying the measures to be undertaken by the Operator to ensure non-discriminatory treatment of Storage Facility Users, including detailed obligations of the Operator’s employees resulting from the Programme.

The purpose of this Programme is to ensure equal and non-discriminatory treatment of Storage Facility Users and potential Storage Facility Users so that they are all treated in the same way by the Operator. The Operator, within the limits established by law, is obliged to eliminate phenomena that could lead to discrimination against other Storage Facility Users or potential Storage Facility Users.

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I. Content of the Compliance Programme

I.1. Legal basis and other related documents

The Compliance Programme has been adopted as internal rules of the SSO. The Programme has been developed based on the following legal acts and documents:

1. Directive 2009/73/EC of the European Parliament and of the Council concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (O.J. EU No. L 211, p. 94, as amended);
2. Energy Law Act of 10 April 1997 (Journal of Laws of 2019, item 755, as amended),
3. Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (O.J. EU No. 211, p. 36, as amended);
4. Note of DG Energy & Transport on Directives 2003/54/EC and 2003/55/EC on the internal market in electricity and natural gas. The unbundling regime. 16.1.2004;
5. Interpretative note on Directive 2009/72/EC concerning common rules for the internal market in electricity and Directive 2009/73/EC concerning common rules for the internal market in natural gas - Retail market 22.01.2010;
6. Guidelines for Good TPA Practice for Storage System Operators (GGPSSO) of 2 March 2005 (updated in July 2011);
7. Guidelines for the content of Compliance Programmes developed by distribution system operators and the storage system operator, Energy Regulatory Office, Department of Market Development and Consumer Affairs, Warsaw, February 2019 - hereinafter referred to as the "Guidelines".

I.2. Definitions

<i>Documentation of the SSO's Management System</i>	the collection of internal regulations established and approved by the SSO to manage the Core Activities of the SSO
<i>Core Activities of the SSO</i>	activities directly related to the performance of the licensed activities undertaken by the SSO
<i>ICT</i>	technologies used to process, collect or transmit information in electronic form (information and communication technologies)
<i>Public Information</i>	information which the SSO is obliged to provide under the applicable laws
<i>Sensitive Information</i>	commercial information obtained by the SSO from third parties in the course of carrying out its activity, or information concerning the System managed by the SSO and its activity that may be of commercial interest to potential Storage Facility Users
<i>Compliance Officer</i>	a person appointed by the Management Board of the SSO to perform specific duties and tasks related to the monitoring of the Programme implementation, interpretation of the Programme provisions and organization of the related trainings
<i>Storage Facilities</i>	storage facilities within the meaning of Article 3(10a) of the Act, for which Gas Storage Poland sp. z o.o. has been designated as the SSO
<i>Corporate Identity Manual</i>	an official representation of the SSO's presentation templates which describes in a comprehensive manner the elements of the identification system and the ways and principles of their use
<i>SSO</i>	Storage System Operator (SSO) Gas Storage Poland Sp. z o.o. having its registered office in Dębogórze
<i>Potential System User</i>	an entity applying for connection to the System

<i>SSO Employee</i>	a person employed at the SSO on the basis of an employment relationship or any other legal relationship, specifically in particular a task-specific contract, mandate contract, agency contract, management contract or a contract for provision of services (including management services) for the SSO
<i>President of the ERO</i>	the President of the Energy Regulatory Office
<i>Programme, Compliance Programme</i>	this Programme for ensuring non-discriminatory treatment of Storage Facility Users
<i>Energy Company</i>	an entity conducting business activity in the field of production, processing, storage, transmission, distribution, trade in energy or fuels
<i>Vertically Integrated Company</i>	an energy company as defined in Article 3(12a) of the Act
<i>Storage Code</i>	Storage Code
<i>System, Gas System</i>	gas distribution network, storage facility and the interconnected equipment and installations
<i>Service Provider</i>	natural or legal person or an organizational unit without legal personality that provides services or performs certain duties on behalf and for the benefit of the SSO in respect of gas storage activities in those areas where equal and non-discriminatory treatment is to be provided, or any responsibilities that involve the access to Sensitive Information
<i>Act</i>	the Energy Law Act of 10 April 1997 (consolidated text Journal of Laws of 2019 item 755, as amended)
<i>Storage Facility User</i>	a customer or potential customer for gas storage services at Storage Facilities
<i>System User</i>	an entity supplying gaseous fuels to the Gas System or supplied from that System, or an entity holding a licence to trade in gaseous fuel
<i>Storage Capacity</i>	a part of or the entire injection capacity, working volume or withdrawal capacity offered either as bundled or unbundled product in accordance with the technical specifications of respective Storage Facilities.

I.3. Entities to which the provisions of the Programme apply, and obliged to comply with its provisions

The obligations and rules of conduct set out in the Programme apply to:

1. the Employees of the SSO,
2. the Management Board of the SSO,
3. the Compliance Officer,
4. the Service Providers.

I.4. The minimum scope of areas where non-discriminatory and equal treatment is to be provided

The Programme includes actions aimed at ensuring equal treatment and eliminating discriminatory behaviour in the following areas:

1. provision of gas storage services (conclusion and execution of storage agreements, termination and revision of gas storage conditions),
2. settlements with Storage Facility Users,
3. System balancing,
4. handling complaints and claims,
5. elimination of disturbances and failures of the System,
6. provision of measurement data used for settlements, balancing and settlement of the imbalance of Storage Facility Users,
7. protection of Sensitive Information,
8. method how information is made available and communicated to Storage Facility Users or potential Storage Facility Users,
9. management of network infrastructure, including the ICT area, as well as the development and access to such infrastructure,
10. purchase of electricity and gaseous fuels to cover any imbalance and for the SSO's own needs,
11. development of storage capacity.

I.5. Discriminatory behaviours and behaviours contrary to the principle of equality

Discriminatory behaviours and behaviours contrary to the principle of equality shall include in particular:

1. The use of Sensitive Information for the purpose of or in a manner that leads to a privileged position or discrimination against a Storage Facility User or potential Storage Facility User, in particular the unauthorized transfer of Sensitive Information of another System User to a supply company which is a member of the Vertically Integrated Company of the SSO.
2. Promoting and recommending any Energy Companies engaged in the production of or trade in gaseous fuels to third parties, including the Employees of the SSO.
3. Engaging in the distribution or display of promotional or advertising materials of selected Energy Companies.
4. Providing information to customers regarding offers to supply gaseous fuel.
5. Misleading customers by informing that the Employee of the SSO represents the supplier that is the member of the same Vertically Integrated Company as the SSO.
6. Undertaking activities related to the construction, modernization and development of the System, as well as the operation of the System in a manner that leads to a privileged position or discrimination against a Storage Facility User or potential Storage Facility User.
7. Discrimination against the Employee of the SSO in case of selecting a different supplier than the one that is a member of the Vertically Integrated Company of the SSO.

I.6. Sensitive Information

1. The term Sensitive Information shall include in particular:
 - 1.1. Information concerning Storage Facility Users or potential Storage Facility Users, acquired obtained by the SSO in the course of carrying out the Core Activities of the SSO. The following information shall be included in this category:
 - a) the contractual terms, including financial terms, corresponding or similar to the ones listed below:
 - individually defined technical and financial conditions for access to Storage Facilities,
 - capacity of the Storage Facility access is given to,
 - level of utilisation of Storage Facilities,
 - invoice payment terms,
 - settlement period,
 - b) data that may be used for customer segmentation and preparation of dedicated offers, corresponding or similar to the details listed below:
 - customer's name and surname, address, bank account number,
 - utilisation structure of Storage Facilities,

- measurement data, storage services utilisation curves, including forecasts of customer utilisation curves,
 - payment history,
 - customer debt levels.
- 1.2. Any information concerning the System managed by the SSO and about the Core Activities of the SSO that may be of commercial interest:
 - a) expert reports on the impact of the connection of equipment, installations or generation and distribution networks to the storage infrastructure on the functioning of the System,
 - b) information concerning the storage infrastructure of the SSO and how it is managed, which is not in the public domain.
 2. Sensitive Information should not be shared within the Vertically Integrated Company, unless this is legally required.
 3. Information concerning the storage infrastructure of the SSO and how it is managed shall be considered sensitive until it is made available to all Storage Facility Users or potential Storage Facility Users on an equal treatment basis, e.g. through publishing such information the SSO's website.
 4. Documents and databases containing Sensitive Information should be stored in a way that prevents any possibility of access by unauthorised persons, such as employees of other entities of the same group. The SSO shall ensure the protection of Sensitive Information, in particular through:
 - 4.1. The application of procedures and technical measures to ensure that documents containing Sensitive Information can be accessed exclusively by persons who are authorised to obtain or process such documents because of their official duties and responsibilities.
 - 4.2. Providing access to databases and information systems containing Sensitive Information only to persons who are authorised to do so because of their official duties and responsibilities.
 5. Access to Sensitive Information is provided to the staff of the organisational units involved in the execution of processes concerning the areas where non-discrimination and equal treatment is to be ensured, as indicated in clause I.4, subject to undergoing relevant training in the protection of such information.
 6. Before Sensitive Information is provided at the request of authorised entities, they should be made aware of the necessity to protect such information.

I.7. The rights and responsibilities of the Employees of the SSO

1. The Employees of the SSO shall ensure equal treatment of all Storage Facility Users and potential Storage Facility Users.
2. The application of the principles of equal treatment means that the Employee of the SSO shall treat Storage Facility Users or potential Storage Facility Users in the same manner in the same circumstances, in particular in the performance of the following official duties:
 - 2.1. offering and providing storage services;
 - 2.2. accepting and processing applications, complaints and claims;
 - 2.3. representation, negotiation and acting as a representative towards third parties;
 - 2.4. disclosure and provision of information.
3. In order to ensure compliance with the principles of equal treatment, the Employees of the SSO are prohibited from:
 - 3.1. transmitting, processing, disclosing or using Sensitive Information by an Employee of the SSO in order to favour or discriminate against a particular Storage Facility User or potential Storage Facility User, or a group of Storage Facility Users or potential Storage Facility Users;
 - 3.2. affording more favourable treatment to a particular Storage Facility User or selected Storage Facility Users, either existing or potential;
 - 3.3. advertising, promoting or recommending selected Energy Companies to any third parties, including the Employees of the SSO.
4. In order to ensure compliance with the principles of equal treatment, the Employees of the SSO are required to:
 - 4.1. Refrain from discriminating against any particular Storage Facility User or potential Storage Facility User.
 - 4.2. Refrain from the displaying any advertising or promotional materials of selected Energy Companies.
 - 4.3. Inform that they represent the SSO during any public appearances and interactions with third parties.
 - 4.4. During any public appearances or interactions with third parties, avoid any statements concerning other Energy Companies, and refer exclusively to generally available public sources of information in this regard.
5. A potential conflict of interest shall be deemed to exist where an Employee of the SSO, in performance of his or her duties, handles the cases of Storage Facility Users or potential Storage Facility Users with respect to whom he or she has such a factual or legal relationship that, given the nature of that relationship, the principle of equal treatment could be compromised.

6. The Employee of the SSO is obliged to:
 - 6.1. in the event of a conflict of interest, to refrain from any actions that compromise the principle of equal treatment of Storage Facility Users or potential Storage Facility Users, and to promptly report such conflict of interest to the Compliance Officer;
 - 6.2. protect Sensitive Information;
 - 6.3. provide Public Information, on an equal basis, to all Storage Facility Users and potential Storage Facility Users;
 - 6.4. take part in training to get introduced to the Programme and the consequences of non-compliance.
7. The Employee of the SSO has the right to:
 - 7.1. address complaints, requests and comments concerning the Programme to the Compliance Officer;
 - 7.2. ask the Compliance Officer to interpret the Programme.
8. An Employee of the SSO who is part of the management team, at any level, including persons who have advisory roles or have access to Sensitive Information, must not be simultaneously employed in any form by the Vertically Integrated Company or by an Energy Company which is engaged in the transmission, production of or trade in gaseous fuels, nor be responsible, directly or indirectly, for the day-to-day operations of the aforementioned Companies in this regard.
9. An Employee of the SSO should be afforded the same treatment as any Storage Facility User and potential Storage Facility User. Among other things, it shall be prohibited to exert pressure on the Employees of the SSO to select a particular Energy Company as the supplier of gaseous fuels.
10. The communication with the Employees of the SSO in the course of day-to-day activity is the responsibility of the Management Board of the SSO. The SSO shall provide the Employees of the SSO with the necessary information concerning the holding group and the SSO's role within the group.
11. The SSO's intranet site, as well as the email communication addressed to the Employees of the SSO should not contain offers of any selected Energy Companies or links to the websites or intranet sites of other Energy Companies.
12. As part of orientation procedures, the Employees of the SSO should not be required to undertake internships, secondments or training courses within the organisation of the Vertically Integrated Company. Furthermore, the career path of the Employee of the SSO should not depend on the fact that he or she has received such training within the organisation of the Vertically Integrated Company.

13. The obligations of the Employees of the SSO, as defined in the provisions of this Programme, are considered basic employee obligations.
14. A breach of the obligations set out in the provisions of this Programme, by the Employee of the SSO may:
 - 14.1. expose the SSO to damage in the form of a financial penalty imposed on the SSO by the President of the ERO.
 - 14.2. Provide the basis for sanctions or consequences against the Employee of the SSO, as applicable under relevant legal regulations, including the liability of the Employee of the SSO.

I.8. Guarantees of independence

1. The SSO shall adhere to the principle of neutrality towards Energy Companies, and specifically:
 - 1.1. The SSO remains, in terms of its legal and organisational form and decision-making, independent of other activities not related to storage, transmission or distribution of gaseous fuels.
 - 1.2. The SSO shall not engage in any business activity related to the production of or trade in gaseous fuel (excluding the purchase of gas for own needs), nor to carry out such activity on a contract basis for the benefit of other Energy Companies.
 - 1.3. The SSO shall not take any actions that may affect the market position of individual Energy Companies.
2. In order to ensure the independence of the SSO, according to Article 9d(1g) of the Act, the following criteria of independence have to be met jointly:
 - 2.1. The individuals responsible for the management of the SSO must not be involved with the organisation of the Vertically Integrated Company, or of any Energy Company engaged in the production of or trade in gaseous fuels, nor to be responsible, directly or indirectly, for day-to-day operations in this regard;
 - 2.2. The individuals responsible for the management of the SSO shall be afforded the ability to act independently.
 - 2.3. The SSO has the right to make independent decisions with respect to assets necessary to carry out its business activity in respect of the storage of gaseous fuels.
 - 2.4. A corporate body of the Vertically Integrated Company must not give the SSO any instructions regarding its day-to-day activity, nor take any decisions with regard to the construction or upgrade of any Storage Facility, unless such instructions or decisions concern any activities of the SSO that would go beyond the scope of the approved financial plan or other equivalent document.

3. The recommendations indicated in clause 2.1 should be applied not only to the Management Board of the SSO but also to management team performing managerial roles and reporting directly to the Management Board of the SSO.
4. A corporate body of the Vertically Integrated Company must not give instructions to the Employees of the SSO since this power is reserved for the Management Board of the SSO or its managers.
5. The documentation of the SSO's management system shall be developed and approved by the SSO. As regards regulations created in the Vertically Integrated Company which are also to be applied at the SSO's, such regulations shall be subject to a system of verification of their compliance with unbundling rules, in particular as regards the criteria for the independence of the SSO and its internal procedures.
6. The SSO shall oversee the outsourcing of any areas of its business.
7. The remuneration system for the Employees of the SSO shall depend solely on the Management Board of the SSO and the performance results of the SSO.
8. The remuneration system for the Management Board of the SSO shall be independent of the performance results of other companies from the corporate group the SSO belongs to, or of the performance results of any company engaged in activities related to the production of or trade in gaseous fuels, as well as of any other goals other than the business of the SSO.
9. The conditions of the them transfer of the Employees of the SSO to other entities of the Vertically Integrated Company should ensure the security of Sensitive Information, in particular through the withdrawal of access to Sensitive Information by a former Employee of the SSO.
10. The SSO shall differentiate itself from the Vertically Integrated Company with its communication channels, i.e. website, intranet site, email address domains, telephone numbers.
11. The SSO shall possess its own Corporate Identity Manual which describes in a comprehensive manner the elements of the identification system and the ways and principles of their use. The Corporate Identity Manual should describe the trade mark of the SSO, which is different from the trade mark of the Vertically Integrated Company, for example by including the distinctive name of the SSO. The Corporate Identity Manual should also contain SSO trademarked specimens of the identity system elements used in external communication, such as, for example, company prints, business cards, presentations, advertising materials, badges, marking of clothing, means of transport, buildings and information boards.
12. The SSO shall have a separate registered address,, different than the Vertically Integrated Company. In its premises, the SSO shall occupy independent and separate offices, accessible to the Employees of the SSO with a restricted access only for other parties.

I.9. Management of the infrastructure of the SSO including the ICT area

1. The infrastructure of the SSO should be made available to Storage Facility Users or potential Storage Facility Users in a transparent manner and on equal terms.
2. The SSO shall retain decision-making autonomy both at the concept phase of ICT systems development and in the subsequent stages of their construction or upgrade.
3. Newly designed and implemented ICT systems supporting the activity of the SSO in the area of asset management, infrastructure management (dispatching, operational support), investment projects, development, connections, material management, storage services, customer service should be delivered with due regard to ensuring the required independence from the Vertically Integrated Company, in particular through uniform standards of information exchange with all supply companies with whom the SSO has agreements for gas storage services.
4. The design and implementation work concerning ICT systems shall include an analysis to ensure compliance with the principle of unbundling, in particular as regards storage and processing of data and access rights to ICT systems.
5. The SSO shall develop requirements for ICT systems so as to ensure that the independence of the SSO is maintained, as well as equal treatment of Storage Facility Users or potential Storage Facility Users and the necessary protection of Sensitive Information. The above requirements shall be the basis for the analysis to ensure compliance with the principle of unbundling, as referred to in clause 4.

I.10. Principles of knowledge sharing with market participants and protection of intellectual property of the SSO

1. The SSO shall carry out its research and development activities on a transparent basis.
2. The choice of the type of technology solutions to be tested and the selection of partners for their implementation shall be at the sole discretion of the SSO. The possibility of undertaking any research and development upon the instruction of the Vertically Integrated Company should be excluded.
3. Any intellectual property developed by the SSO as a result of research and development must not be owned exclusively by third parties, or by other entities of the Vertically Integrated Company of the SSO operates.

I.11. Marketing activities and sponsorship by SSO

1. Marketing activities and sponsorship shall be undertaken by the SSO independently, on a transparent basis.
2. Marketing activities and sponsorship support from the SSO shall be underpinned by the marketing strategy of the SSO and dedicated to projects related to the Core Activities of the SSO, including related education initiatives.

I.12. Functioning of the SSO in the Vertically Integrated Company

1. The SSO operating within a Vertically Integrated Company should shape its relations with the individual entities of the parent group in such a way that does not expose the SSO to any allegation of discriminatory treatment of Storage Facility Users or potential Storage Facility Users.
2. The building of increased awareness of the brand and belonging to a Vertically Integrated Company among the Employees of the SSO shall be prohibited. The Employees of the SSO must not be involved in the process of building such awareness.

I.13. Centralisation or outsourcing of the SSO's services and procurement

1. The SSO shall take the necessary measures to ensure that Service Providers comply with the Programme.
2. The SSO shall ensure, through appropriate provisions in its contracts, framework contracts or orders placed with Service Providers, that the following is guaranteed with the respect to services they provide :
 - 2.1. protection of Sensitive Information.
 - 2.2. non-discriminatory and equal treatment of Storage Facility Users and potential Storage Facility Users.
3. When implementing projects in the area of centralisation or outsourcing of services and procurement, the SSO should be guided by the principle of independence and transparency in its decision-making, relying on non-discriminatory and market-based procurement procedures which take into account the exemptions provided for in applicable legal regulations, including the public procurement law. The Operator must not be obliged to join a shared services centre within a Vertically Integrated Company.
4. The SSO should not be limited in the choice in offers from potential Service Providers.

5. The SSO shall ensure the implementation of unbundling principles both when all services and supplies are procured independently by the SSO and when a certain part of the procurement of services or supplies is subject to centralization or outsourcing.

II. Implementation and execution of the Programme

1. The programme shall be approved by the President of the ERO at the request of the SSO.
2. The implementation and execution of the Programme shall be supervised by the Management Board of the SSO. The heads of organisational units shall be responsible for the implementation and supervision of compliance with and implementation of the Programme in their respective units.
3. The SSO shall publish the Programme on its website.
4. The preparation and monitoring of the implementation and implementation of the Programme shall be the responsibility of the Compliance Officer, who shall be appointed by the Management Board of the SSO.
5. The SSO shall ensure the independence of the Compliance Officer by enabling his/her direct contact with the Management Board of the SSO and access to information held by the SSO and its affiliated entities to the extent required for the performance of the Compliance Officer's duties.
6. The responsibilities of the Compliance Officer include in particular:
 - 6.1. monitoring of compliance with the Programme,
 - 6.2. providing information on the Programme and its publication,
 - 6.3. initiating reviews of Programme implementation and compliance,
 - 6.4. drafting amendments to the Programme,
 - 6.5. informing the Management Board of the SSO on the progress of the Programme implementation,
 - 6.6. preparing reports and a summary report on the implementation of the Programme, as referred to in Article 9d(5a) of the Act.
7. The Compliance Officer shall:
 - 7.1. lay down the rules for the organisation and conduct of training courses concerning the Programme,
 - 7.2. set out the rules for collecting declarations from the Employees of the SSO confirming that they are familiar with the Programme, and indicate where such declarations are to be kept,
 - 7.3. provide interpretation of the provisions of the Programme for internal purposes of the SSO, in accordance with the Act and the Guidelines.

- 7.4. The Compliance Officer shall be authorised to apply to the President of the ERO for evaluation or interpretation of the provisions of the Programme.
8. Training concerning the Programme shall be conducted for new Employees of the SSO not later than 1 month after their engagement. The training may be provided in a digital format.
 9. The training shall cover at least: the purpose and scope of the Programme, the obligations of the SSO, the obligations of the Employees of the SSO, sanctions arising from the violation of the obligations of the Employees of the SSO, rules for the implementation and monitoring of the Programme.
 10. The Employees of the SSO, having familiarized themselves with the Programme, shall sign a declaration confirming that they are familiar with the Programme, in the form enclosed as Appendix No 1 hereto.
 11. The Employees of the SSO shall be introduced to any changes to in the Programme no later than within 3 months from the date of approval of the amended Programme by the President of the ERO. The heads and managers of the SSO organizational units shall be required to organize and conduct training on the changes to the Programme and obtaining a confirmation from all the Employees of the SSO that they are familiar with such in the form of the declaration enclosed in Appendix No 1 hereto to be signed by all the Employees of the SSO.
 12. The SSO shall ensure equal treatment of existing Storage Facility Users and potential Storage Facility Users, and the application of objective and transparent rules of access to storage services at Storage Facilities, specifically through:
 - 12.1. drafting the Storage Code and holding public consultations of the draft as well as defining the principles for the allocation of Storage Capacity and the terms of use of Storage Facilities in the Storage Code subject to approval by the President of the ERO,
 - 12.2. applying standard application forms, forms of agreement and other documents used in respective interaction procedures with Storage Facility Users or potential Storage Facility Users.

III. Monitoring of the functioning of the Programme, and reporting

III.1. Monitoring

1. The Compliance Officer shall review the rules applied in the areas involving interaction with Storage Facility Users or potential Storage Facility Users, shall assess their compliance with the provisions of the Programme. The conclusions from such assessment shall be submitted by the Compliance Officer to the Management Board of the SSO.

2. After reviewing the conclusions from the assessment, the Management Board of the SSO may set out an action plan with a view to implementing the provisions of the Programme, and in particular specify:
 - 2.1. the directions for organisational changes and internal procedures in order to maintain neutrality,
 - 2.2. the directions for changes in the Storage Code and in the standard forms of agreements, applications and other documents used.
 - 2.3. changes to the principles concerning the identification and presentation of the SSO in order to effectively communicate its independent status to Storage Facility Users or potential Storage Facility Users,
 - 2.4. changes to terms and conditions of cooperation with Service Providers.
3. The Compliance Officer shall have the right to initiate an *ad hoc* internal audit of compliance with the Programme.
4. The Compliance Officer shall collect information on violations under the Programme and the occurrence of discriminatory behaviour, as well as on the progress of the implementation of the Programme, in particular through:
 - 4.1. reviewing internal audit results,
 - 4.2. receiving and recording information from the Employees of the SSO covered by the Programme on the existence of conflict of interest situations,
 - 4.3. receiving and recording complaints, requests and information from the Employees of the SSO covered by the Programme concerning the Programme and any violations of its provisions,
 - 4.4. holding reviews of respective processes, on the basis of interviews and applicable by-laws and instructions.
5. In the event of the notification of a conflict of interest by an Employee of the SSO, the Compliance Officer shall assess the circumstances and risks resulting from the existence of the conflict of interest and make suggestions to the immediate superior of the Employee of the SSO as to how this situation should be addressed.
6. The decision whether or not to take any action to exclude the Employee of the SSO acting in a conflict of interest situation from handling specific cases shall be taken by the immediate superior of the concerned Employee of the SSO.
7. In the event that the Compliance Officer becomes aware of a gross violation of the provisions of the Programme, the Compliance Officer shall promptly notify the Management Board of the SSO of such occurrence. In the notification, the Compliance Officer may suggest actions to eliminate such cases, including draft revisions to the current Programme.

III.2. Reporting

1. By the end of January of each year, the Compliance Officer shall collect information on any violations of the provisions of the Programme identified in the previous year together with suggested actions aimed at removing eliminating such violations or introducing changes to the Programme, with a view to preparing an annual report on the Programme implementation . The heads and managers of the organisational units of the SSO shall be responsible for reporting to the Compliance Officer on any violations of the Programme identified in the previous year in their units by the end of January each year.
2. The annual report on the implementation of the Programme prepared by the Compliance Officer shall contain a description of actions taken in the previous year to implement the Programme and data from the ongoing monitoring, including in particular information about:
 - 2.1. identified violations of the Programme provisions,
 - 2.2. complaints and proposals concerning the Programme,
 - 2.3. activities undertaken as part of the Programme implementation,
 - 2.4. measures in place to protect Sensitive Information.
3. The Compliance Officer shall submit an annual report to the Management Board of the SSO by 15 March each year.
4. By 31 March each year, in accordance with the Act, the annual report shall be presented by the Compliance Officer to the President of the ERO.

IV. Appendices

Appendix No 1 – Form of declaration of familiarity with the Compliance Programme.

Appendix No 1 to the Compliance Programme – the Programme for ensuring non-discriminatory treatment of Storage Facility Users.

Form of declaration of familiarity with the Compliance Programme.

Name and surname:

Organizational unit:

DECLARATION

I hereby declare that on I read the Compliance Programme – the Programme for ensuring non-discriminatory treatment of Storage Facility Users being in force in Gas Storage Poland sp. z o.o. having its registered head office in Dębogórze, and I undertake to adhere strictly to its provisions.

.....

(place and date)

.....

(signature)