

## **PROCEDURE FOR DEALING WITH A SUSPECTED ABUSE**

### **Chapter 1 Definitions**

#### **Article 1**

This Procedure applies the following definitions:

- *the employee*: a person working for the company or its group affiliates;
- *the company*: the public limited liability company NV Nederlandse Gasunie;
- *the chairman of the Executive Board*: the chairman of the Executive Board of the company;
- *the chairman of the Supervisory Board*: the chairman of the Supervisory Board of the company;
- *line manager*: the employee's immediate superior;
- *trusted third party*: a person appointed by the chairman of the Executive Board to act as a trusted third party to the company and its group affiliates;
- *a suspected abuse*: a suspicion, based on reasonable grounds, that the following have been, or are likely to be, committed in respect of the company:
  - a) a criminal offence;
  - b) an infringement of legislation or regulations;
  - c) deliberate misinformation of public bodies;
  - d) an infringement of prevailing internal codes of conduct, or
  - e) the deliberate withholding, destruction or manipulation of information concerning these facts.

### **Chapter 2 Procedure**

#### **Article 2**

1. Unless he is governed by an exemption pursuant to Article 4, paragraph 2, the employee will report a suspected abuse internally to his line manager or, if he feels this is inappropriate, to the trusted third party. He can also report the suspected abuse to the trusted third party in addition to his line manager.
2. If requested, the line manager or the trusted third party will compile a written record of the notification, together with the date on which it was received, and have it signed for approval by the employee, who will be sent a copy. The line manager or the trusted third party will ensure that the chairman of the Executive Board is immediately informed of the notification of a suspected abuse, and of the date on which it was received, and that he is sent a copy of the written statement.
3. The chairman of the Executive Board will send a confirmation of receipt to the employee who has reported the suspected abuse. The confirmation of receipt will include a reference to the original notification. This will also apply if the employee has notified the suspected abuse to the trusted third party rather than to his line manager.
4. The Executive Board will launch an investigation as soon as a suspected abuse has been reported.
5. The employee who reports a suspected abuse and the individual to whom the report has been made will treat the notification in confidence. No information will

be supplied to third parties, either internally or outside the company and its group affiliates, without permission from the chairman of the Executive Board. If information is supplied, the name of the employee will not be mentioned and the information will be provided in such a way as to preserve the anonymity of the employee as far as possible.

### **Article 3**

1. Within a period of eight weeks from the date of the internal notification, the employee will be informed in writing by or on behalf of the chairman of the Executive Board about the standpoint of the Executive Board concerning the suspected abuse that has been reported. The letter will also indicate what steps have been taken to deal with it.
2. If the Executive Board cannot give its standpoint within eight weeks, the employee will be informed by or on behalf of the chairman of the Executive Board, and told when this standpoint is likely to be forthcoming.

## **Chapter 3 Notification to the chairman of the Supervisory Board**

### **Article 4**

1. The employee can notify the suspected abuse to the chairman of the Supervisory Board, if:
  - a) he does not accept the standpoint referred to in Article 3;
  - b) he has not received notification of a standpoint within the period referred to in Article 3 paragraphs 1 and 2;
  - c) the period referred to in Article 3 paragraphs 1 and 2 is felt to be unreasonably long in view of the circumstances and the employee has registered an objection about this to the chairman of the Executive Board, but has not been given a shorter, more reasonable period of time;
  - d) the suspected abuse concerns a director of the company, or
  - e) an exemption applies as referred to in the following paragraph.
2. An exemption as referred to in the previous paragraph under e will apply in the event of:
  - a) a situation in which the employee has reasonable justification to fear countermeasures against him following an internal notification;
  - b) an internal notification which has previously been made in accordance with the procedure for dealing with a particular abuse, and which has not led to the removal that abuse.
3. The chairman of the Supervisory Board will, if asked to do so, compile a written record of the notification, together with the date on which it was received, and have it signed for approval by the employee, who will be sent a copy.
4. The chairman of the Supervisory Board will send a confirmation of receipt to the employee who has reported a suspected abuse. If the employee has already previously reported the suspected abuse, the confirmation of receipt will refer to the original notification.
5. An investigation will be launched as soon as a suspected abuse has been reported.

6. The employee who reports a suspected abuse and the individual to whom the report has been made will treat the notification in confidence. No information will be supplied to third parties, either internally or outside the company and its group affiliates, without permission from the chairman of the Supervisory Board. If information is supplied, the name of the employee will not be mentioned and the information will be provided in such a way as to preserve the anonymity of the employee as far as possible.

#### **Article 5**

1. Within a period of eight weeks from the date of the internal notification, the employee will be informed in writing by or on behalf of the chairman of the Supervisory Board of the basic standpoint that has been reached concerning the suspected abuse. The letter will also indicate what steps have been taken to deal with it.
2. If the Supervisory Board cannot give a standpoint within eight weeks, the employee will be notified by or on behalf of the chairman of the Supervisory Board, and told when this standpoint is likely to be forthcoming.

### **Chapter 4 Legal protection**

#### **Article 6**

An employee who has reported a suspected abuse in good faith and in accordance with the provisions contained in this Procedure will in no way have his position prejudiced or compromised as a result of the aforesaid notification.

### **Chapter 5 Date of commencement**

#### **Article 7**

This Procedure will take effect from 1 March 2006.