

ADDITIONAL Act no.1
of
MANDATE CONTRACT no _____/27.04.2023

Having in view **the provisions** of:

- Law No 31/1990 on companies, republished, as amended and supplemented ("Law No 31/1990");
- Government Emergency Ordinance no. 109/2011 on corporate governance of public enterprises approved with amendments and additions by Law no. 111/2016, as amended, by, Law no. 187/2023 ("GEO no. 109/2011");
- Government Decision no. 722/2016 approving the Methodological Norms for the application of certain provisions of Government Emergency Ordinance no. 109/2011 on corporate governance of public enterprises ("H.G. no. 722/2016");
- Shareholders' Ordinary General Meeting decision no. _____ /_____ approving the financial and non-financial key performance indicators for the non-executive administrators of OIL TERMINAL SA,
- Shareholders' Ordinary General Meeting Resolution no. ____ from ____ approving the amount of the variable component of the remuneration of the non-executive administrators of OIL TERMINAL SA,
- Art. 34 and 35, Chapter XIII "Modification of the Mandate Contract", Art.7 Chapter VI "Obligations of the Administrator", Art. 15 Chapter VII "Rights of the Administrator" of the Mandate Contract no. _____/27.04.2023,

OIL TERMINAL SA's Shareholders' General Meeting no. ____ dated _____ has decided that this present additional act of mandate contract no. _____ of 27.04.2023 be signed by Mr./Mrs. _____, as shareholder representative.

The company **OIL TERMINAL SA**, a commercial company administered in a unitary system, with social headquarters in Constanta, Caraiman Street, no. 2, Constanta County, registered at the Commercial Registry Office of the Constanta Court under no. J13/512/1991, CUI/CIF RO2410163, IBAN code RO68BTRL01401202693135XX opened at Banca Transilvania, represented by _____, representative of the Ministry of Energy in the Shareholders' General Meeting, as principal, ("the Company"),

and

Mr./Mrs._____, Romanian citizen, born on_____, in_____, with residence in _____, street_____, no._____, identified with I.D. series_____, no._____, P.I.N._____, as administrator or **trustee** ("Administrator/Trustee").

Agree with the Mandate Agreement no _____/27.04.2023, thus:

Art. 1. Additional Act' object :

1.1 The key performance indicators are provided in annex no. 1 to this Additional Act.

1.2 The key performance indicators, targets and their degree of fulfillment may be modified in accordance with the law and in compliance with the procedures provided for their approval.

1.3 The trustee benefits from a variable component of remuneration in the amount of 12 fixed monthly allowances, granted under the law, with the provisions of the budget of revenues and expenditures approved in accordance with the applicable legal provisions in force and in compliance with the methodology established in point 1.4 of this Additional Act.

1.4 Calculation method of the remuneration' variable component:

Due variable component = Value of te variable component settled by the additinal act of the mandate contract x total degree of key peformance indicators' fulfillment (ICP)

Total degree of key performance indicators fulfilment (GT_{ICP}) is the amount of each ICP (GI_{ICP})' fulfilment degree equal to the (W_{ICP}) weighting coefficient related to each ICP.

Calculation formula:

$$GT_{ICP} = \sum_{i=1}^n GI_{iICP} \times W_{iICP}$$

where:

- GT_{ICP} – ICP Annual fulfilment degree
- W_{ICP} – weighting (weight) coefficient for each ICP
- GI_{ICP} – Fulfilment degree of individual ICP
- I_i – Individual indicator (Fulfilment degree %)

Fulfilment degree of each ICP (GI_{ICP}) is the fulfilment degree of each ICP, taking into account the calculation method provided for each ICP, further weighted by the weighting (weight) coefficient - (W_{iICP}) related to each ICP.

The variable component of the remuneration due to the Trustee will be directly proportional to GT_{ICP} for each financial year.

Also, if:

- $80\% \leq GT_{ICP} \leq 100\%$, the variable component of remuneration is granted proportionally
- $GT_{ICP} < 80\%$, the variable component of remuneration is not paid

1.5 Payment of the variable component is made annually, within a maximum of 15 days from the date of approval at the general meeting of shareholders of the audited annual financial statements prepared in accordance with IFRS and of the presentation of the annual report of the Advisory Committee for Nomination and Remuneration regarding the global degree of realization of the financial and non-financial performance indicators approved by the OGSM Decision no.

Art.2 Final disposals

2.1 The other provisions remain the same.

As a result of which we concluded today, _____,2023, in 3 (three) original copies, in Romanian, of which two copies for PRINCIPAL and one copy for TRUSTEE

The company OIL TERMINAL SA,
Through: _____
Authorized by OGSM' decision no. _of _____

Trustee,
