

(to be typed under Company's Letter Head)

**LETTER OF UNDERTAKING**

Dear Sir / Madam,

With reference to the Health and Safety Policies, we, \_\_\_\_\_ (Company No.: \_\_\_\_\_ ) (the "Company") having our registered office at \_\_\_\_\_ and place of business office at \_\_\_\_\_, hereby undertake, confirm and covenant the following:-

- (a) the Company shall be responsible for the health and safety of its employees, personnel, contractors representatives, and agents performing the works on the worksite and/or the vessel;
- (b) the Company shall at all times ensure that its employees, contractors, personnel, representatives, and agents and shall procure that its contractors' employees, personnel, representatives and agents comply:-
  - (i) with the health and safety protection requirements set forth by the charterer and Jasa Merin Group of companies ("JMG"), including but not limited to JMG's **Drug & Alcohol ("D&A"), Stop Work, Health, Safety and Environment (HSE) policy** in Appendix 1 herein, while on the worksite and/or vessel and shall not undertake any actions, acts, behave in any event whatsoever that will or threaten to harm, affect, endanger or cause injury or death to other person on the worksite and/or the vessel; and
  - (ii) with all relevant and applicable laws and regulations pertaining to the safety and health protection while on the worksite and/or the vessel.
- (c) JMG shall not be liable to the Company or any person and the Company shall indemnify and hold harmless JMG, against and from all claims, liabilities, damages, fines, penalties, losses, and expenses that JMG may suffer as a result of or arising out of or in relation to the failure of the Company, the Company's contractors or their employees, personnel, representatives or agents to comply with the terms and conditions of this letter of undertaking;
- (d) In the event of non-compliance of any of the Health, Safety and Environment requirements set out by JMG, the company will bear the consequences set out by JMG. Health, Safety and Environment is an important aspect to JMG hence the consequences taken would be determined by JMG's management in accordance with the severity of the breach as the violation could affect the reputation of JMG; and

This letter of undertaking shall be governed by the laws of Malaysia and dispute arising out of this letter of undertaking shall be referred to the exclusive jurisdiction of the courts in Malaysia.

Thank you.

Yours faithfully,  
for and on behalf of  
[Insert the name of the Company]

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Name of Authorised Signatory:

Designation: