

ABSTRACT OF CURRENT REGULATION ENAP GROUP OF COMPANIES

The regulations concerning the suppliers registered in the Unique Register of Suppliers for the Group of Companies ENAP, refers to an abstract of the Corporate Contracts Policies and to the Contracts Regulations that should be known by all the suppliers when applying to the Register.

I. Corporate Contracts Policies

• Scope of Application

The contracts of supply of chattels, the purchase-sale of real estate and the contracts of services that a Business Unit subscribes, subject to payment, for the development of its operations within the national territory, will be subject to the norms of this regulation and to the document about Corporate Contracts Policies of ENAP Group of Companies.

The following contracts will be excluded from the application of the provisions of this regulation:

- The hiring of personnel of ENAP Group of Companies, including the fee contracts of services subscribed with natural persons for permanent functions.
- The contracts related to the acquisition and trading of crude oil, natural gas and by-products, and their transport and freight.
- The contracts of forward-market operations.
- The contracts related to financial operations such as purchase-sale and transfer of foreign currency, marketable securities or other financial instruments, or credit contracts.
- The contracts whose objective are to entrust lawyers or law firms the defense or legal or extrajudicial representation of the Business Units, the elaboration of reports in law or specific consulting.
- Other special and justified cases qualified by ENAP's CEO, which shall be then submitted to the Board of Directors.

• Requirements for subscribing contracts with ENAP Companies

All natural or legal persons, Chilean or foreign, with accredited financial and technical competence as prescribed in the regulations, complying with the other requirements stipulated by the latter and those required by law, will be able to subscribe contracts with ENAP Companies.

Each Business Unit may establish in the relevant bidding documents, the obligation for the foreign contractor to grant, at the moment of award, a mandate with enough power to subscribe the contract, or to constitute a company under Chilean Law or an agency of the foreign company, as appropriate, whose objective shall include the subscription and execution of the contract.

The previous paragraph applies particularly regarding contracts for the acquisition of goods or services that the awardee is obliged to deliver or render successively over time.

- **Communications**

During the bidding process all communications with the bidders shall be formal and according to the relevant bidding documents. Therefore, there shall be no interaction other than the allowed by the bidding documents, between the bidders and the representatives of the corresponding Business Unit or ENAP Companies, empowered to participate in the bidding process.

- **Register of Suppliers and Contractors**

The Companies ENAP shall maintain unique corporate records of their suppliers and contractors, whose information will be entered and shared by all Business Units. All natural and legal persons, Chilean or foreign, that are not subject to disqualification to subscribe contracts with ENAP Companies, according to the provisions of the corresponding Regulations, can register in the Register of Suppliers and Contractors.

The records will provide the necessary information to select from the market the companies that are qualified to comply with the requirements of the ENAP Companies. Such records will allow the classification of suppliers and contractors according to their fields of expertise, categories and background.

Notwithstanding the existence of a unique corporate register, the administration and operation of the records will be carried out independently by each Business Unit, according to the corporate criteria defined to this regard, and trying to obtain the highest efficiency and to facilitate the interaction between ENAP Companies and the suppliers and contractors.

The requirements and formalities for registration of suppliers and contractors will be the same at corporate level for each item or service. These requirements will be simple and shall facilitate the incorporation of the widest possible range of businesses. However, the requirements for registration may be increased for those items or services of higher specialization, complexity or relevance for ENAP Companies.

The Regulation will establish the rules and criteria for classifying contractors, the registration requirements in each category and the causes for disqualification, incompatibility, suspension or removal from the register due to failure to comply with obligations or other reasons. The Regulation shall allow free access to the contractors to register and to have a fair and reasoned assessment.

II. Contract Regulations

- **Article 3: Requirements to subscribe contracts with a Business Unit**

All natural and legal persons, Chilean or foreign with accredited financial capacity and technical expertise will be able to subscribe contracts with ENAP Companies.

It will correspond to the committee responsible for the technical evaluations of the tenders, to evaluate the technical expertise and the financial capacity of the contractors, on the basis of the records and documents available in the register of suppliers and contractors and of the information requested in the relevant bidding documents.

Notwithstanding the above, such committee may request further information or to update the existing ones as a preliminary step to awarding the contract, to the extent it deems necessary to evaluate the technical, financial or legal capacity of one or more bidders.

With regards to a foreign contractor the committee may establish in the relevant bidding bases, the obligation to grant and constitute at the moment of the award, a mandate with sufficient power or the obligation to constitute a company under Chilean law or agency of the foreign company, accordingly, with which the contract will be subscribed and whose object shall include the execution of such contract.

The previous paragraph applies particularly regarding contracts for the acquisition of goods or services that the awardee is obliged to deliver or render successively over time.

Direct relationship with the original sources of supply will be privileged over brokers or dealers.

- **Article 5: General Provisions**

It must be ensured that every bid process will be carried out in competitive conditions between the different bidders, preserving transparency and fairness to all participants.

During the bidding process all communications with the bidders shall be formal and according to the relevant bidding documents. Therefore, there shall be no interaction other than the allowed by the bidding bases, between the bidders and the representatives of the corresponding Business Unit or ENAP Companies, empowered to participate in the bidding process.

No employee of the group of companies ENAP may participate in hiring processes in which, whether for business relations or property, family or friendship, can be understood that there are conflicts of interest. The employee concerned shall, in addition to refrain from participating in such processes, officially communicate to his/her superior, the cause of abstention and the nature of the conflict of interest.

- **Article 7: Criteria for defining the public or private character of a bid**

The public or private character of a bid, as well as the number of people invited to participate in private biddings, will be determined taking into consideration the following criteria:

- Amount involved
- Limited number of bidders
- Confidentiality
- Urgency of the requirement
- **Degree of development of the corresponding category of the register of contractors**

From these elements, the amount involved will be the most significant while the other aspects will be taken into account when necessary.

Degree of development of the corresponding category in the Register of Contractors: Private bids may be carried out in all those cases where the category of a contract or service to bid has registered contractors in a number, quality and update sufficient to allow a competitive process. In case that the indicated category does not have the required degree of development, the public bid shall be privileged.

- **Article 24: Unique Corporate Registers**

Services Management will use in its hiring proceedings the unique corporate registers of suppliers and contractors of ENAP Companies.

Services Management may request to the contractors and suppliers their registration in the corresponding register in order to subscribe the definitive contracts.

- **Article 25: Special Regulation**

There will be a special regulation that will establish the rules and criteria for classifying the contractors, the registration requirements in each category and the causes for disqualification, incompatibility, suspension and removal from the register due to failure to comply with obligations or to other reasons. The referred special regulation shall ensure the free access of the contractors to register and to have a fair and reasoned evaluation.