



# Appendix on Logistics Terms and Conditions

## Directive on the Provision of Foreign Trade Data

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Between

**SMA Solar Technology AG**

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34266 Niestetal, Germany

- hereinafter referred to as SMA -

and

Supplier

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## **1 Purpose and Area of Application**

The Directive on the Provision of Foreign Trade Data defines the fundamental requirements between SMA Solar Technology AG, hereinafter referred to as customer, and its suppliers and partners, hereinafter referred to as contractors. With this Directive, SMA wishes to ensure a smooth process for deliveries from and to foreign countries adhering to compliance policies. This includes the customs processes for imports and exports from third countries, the import and export controls such as dual use and embargos, and provision of statistical data for transparency in intra-community trade of goods (for example, Intrastat).

## **2 Supplier Requirements**

The contractor shall provide the following information for each part/semi-finished product he procures to the customer upon direction:

- Customs tariff number
- Dual-use product yes/no; if yes, the export list number
- Country of origin according to German Commercial Law
- Gross and net weight
- Preferential country of origin, if available, long-term supplier's declaration

This information shall be provided by the supplier before a new listing is made for that part, as well as after the fact if the customer directs him to do so. The contractor issues a long-term supplier's declaration each year at the end of a calendar year for the following calendar year. The contractor compiles the relevant data in an Internet portal that the customer makes available for use. Further, the contractor shall proactively report any changes to the above listed data. The long-term supplier's declaration is submitted in a specific format; the other data can be freely formatted.

If the contractor delivers goods from a third country and they qualify for preferential treatment, the customer must be advised of this automatically. If the value of the goods is up to €6,000, this must be stated on the invoice; otherwise, a movement certificate must accompany the delivery.

All suppliers of dual-use products are required by law to report the dual-use aspect of their products in the order confirmation, the delivery note, and the invoice (see Sect. 22 (10) of the EU Directive on dual-use items. The customer shall assume that the contractor is aware of this and the contractor adheres to these statutory obligations without fail.

## **3 Other Requirements**

In the event of delivery constellations not covered by this Directive, this must be discussed with the customer separately.