



Danish Defence Acquisition and Logistics Organization

Special Appendix 3

Export, import and end-user certificate



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1. LICENSES AND CLEARANCES

The Supplier shall prior to Delivery to the Buyer obtain all export and import licenses and other clearances necessary for the Delivery of the Deliverables to the Buyer in accordance with the terms of the Agreement and within the time-limits specified.

If requested by the Buyer, the Supplier shall submit a copy of the export and import licenses and other clearances necessary for the delivery of the Deliverables to the Buyer, or other documentation that such licenses or clearances have been obtained.

The Supplier shall monitor the carriage of the Delivery Item to ensure that all export and import procedures conform to schedule so as to ensure Delivery within the time-limits specified.

2. END-USER CERTIFICATE

If the Delivery of the Deliverables, or part thereof, is conditional upon an end-user certificate being issued in the country of origin or in the country of the Supplier, the Supplier shall notify the Buyer thereof in connection with the Buyer's order of the item in question.

The Supplier shall furthermore inform what restrictions are entailed by the issuance of the end-user certificate.

The Supplier shall ensure that valid end-user certificates are issued by the relevant authorities to ensure that the Deliverables:

- a) can be exported from the country of origin or the country of the Supplier,
- b) can be imported to Denmark, and
- c) can be delivered to the Buyer

within the agreed time-limits.

Furthermore, the Supplier warrants that valid end-user certificates can be issued which do not entail any restrictions in the Buyer's use of items covered by the Deliverables as provided for in the Agreement.



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An end-user certificate shall mean a document to be obtained from a competent authority as a condition for export of items. The end-user certificate may contain restrictions with respect to:

- Export of the item from the country of origin to the country of the Supplier.
- Import of the item to the country of the Buyer.
- The Buyer's unrestricted right to use the item.
- The Buyer's unrestricted right to sell, re-export, or otherwise dispose of the item.

If, at the time of conclusion of the Agreement, end-user certificates have already been issued for items included in the Deliverables, the Supplier shall submit a copy thereof no later than at the time of conclusion of the Agreement.

Upon the Supplier's request, the Buyer will give the Supplier reasonable assistance (e.g. sign documents and confirm applications for approval, etc.) required to facilitate the provision of an export license or other approval and end-user certificates. However, this shall not in any way limit the full responsibility that rests with the Supplier to take all reasonable steps to ensure the provision of any export license, end-user certificate or any other approval required for the Deliverables.

The Supplier shall keep a copy of the end-user certificates for items delivered to the Buyer for at least 2 years after termination of the Agreement, however always for as long as the Buyer uses the items covered by the end-user certificate. At the Buyer's request, the Supplier shall submit a copy of the end-user certificate.

3. CONTRACTUAL TERMS

Any restrictions in the Buyer's use of the Delivery Item due to deviations or amendments in the end-user certificate compared to the restrictions stated in the originally issued end-user certificate shall constitute a material breach of the Purchase Order.

4. SUB-APPENDIX

The following shall be appended by the Supplier as a Sub-Appendix to this Special Appendix:



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Special Appendix 3a: The Supplier's end-user certificate