



Appendix on the Logistics Agreement

Directive on the Provision of Foreign Trade Data

between

SMA Solar Technology AG

Sonnenallee 1

34266 Niestetal

- hereinafter referred to as the "Customer" -

and

Supplier

- hereinafter referred to as the "Contractor" -

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1 Purpose and Scope of Application

The Directive on the Provision of Foreign Trade Data defines the fundamental requirements between the Customer and the Contractor. With this Directive, the Customer 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, 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 Requirements for Contractors

The Contractor shall provide the following information for each part/semi-finished product he procures to the Customer:

- Customs tariff number
- Export list number (if applicable)
- Country of origin according to German Commercial Law of proper proof (see some examples in the Appendix)
- Gross and net weight
- Preferential country of origin, if available, long-term supplier's declaration with preferential certificate of origin under Implementing Regulation (EU) 2015/2447

This information shall be provided by the Contractor 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/every two (2) years at the end of a calendar year for the following calendar year.

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 contractors 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 (EU Council Directive No. 428/2009). 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.

Appendix

- Appendix 1: Certification of commercial origin for contractor from the U.S.
- Appendix 2: Certification of commercial origin for contractor from China

Appendix 1:

Certification of Origin

The undersigned hereby confirms that he is authorized to make the following statement and

further confirms that the following is true and correct:

"I hereby certify that the following goods (or the goods as per attached invoice) are of U.S origin."

This certification is valid for all shipments of these products dispatched

from _____ to _____.¹⁾

Place and date of issue

Signature and company's stamp

¹⁾ The period of time must not exceed 12 month.

Appendix 2:

Certification of Origin

(Ursprungserklärung)

The Undersigned declares that the goods described below
(Der Unterzeichner erklärt, dass die nachstehend bezeichneten Waren)

which regularly supplied to _____
(die regelmäßig geliefert werden an)

are manufactured in the People's Republic of China.
(hergestellt werden in der Volksrepublik China)

This certification is valid for all shipments of these products dispatched
(Diese Erklärung ist gültig für alle Sendungen dieser Waren vom ____ bis zum ____)

from _____ to _____ . 1)

Place and Date of issue Signature and company's stamp,
(Ort und Datum der Ausstellung) (Unterschrift und Firmenstempel)

1) The period of time must not exceed 12 months.
(Die Dauer darf zwölf Monate nicht überschreiten)

IMPORTANT! (WICHTIG!)

This document must be certified by the China Council for the Promotion of International Trade (CCPIT).

(Dieses Dokument muss vom China Council for the Promotion of International Trade (CCPIT) bestätigt werden.)