

Customs and export conditions of MAN Truck & Bus SE

The English Translation is for information only. If the English meaning in the courtesy translation differs from the German legal meaning of this conditions, the German meaning shall apply.

I. Customs, origin of goods, preferences

1. The contractor is required to inform MAN Truck & Bus SE of the customs tariff number and the preferential and non-preferential origin of the items by the time of the first delivery at the latest.
2. The preferential and non-preferential (aka commercial) origin is to be declared by means of a long-term supplier declaration in accordance with the current legal requirements. MAN Truck & Bus SE has a form available for this. The declaration is to be made free of charge for MAN Truck & Bus SE and MAN Trucks SP. z o.o. (Poland) and includes the MAN vendor number, the MAN item number(s) and the LTSD number (i.e. the number of the Long Term Suppliers Declaration). The country of origin is shown in the form of the ISO alpha country code. The declaration is usually valid for two calendar years.
3. The contractor is responsible for renewing the declaration promptly on request before it expires, in accordance with the relevant legal regulations.
4. Individual supplier declarations or supplier declarations on commercial documents will not be accepted.
5. MAN Truck & Bus SE are to be notified in writing in a timely manner of changes to an issued declaration within the specified validity period.
6. The contractor is, at the request of MAN Truck & Bus SE, responsible for proving the originating status of the goods delivered in another way free of charge, if the usual documents are no longer available (manufacturer's declaration etc.). In specific cases it may be required – due to legal obligations – that MAN Truck & Bus SE is requesting the contractor to provide an origin declaration, an CCI (long-term) supplier's declaration or a similar document to proof the non-preferential origin. Such document ist to be provided by the contractor upon request and free of charge.
7. The contractor is to support MAN Truck & Bus SE by all means required to reduce or minimise the customer's payment obligations in terms of customs.
8. The contractor must get in touch with the MAN Truck & Bus SE department Export Control & Customs if they have any questions or instructions in relation to customs or declarations of origin.
9. The seller must include two copies of a commercial invoice in German or English with the shipping documents for customs purposes. Any departure from this is only permitted with the prior written consent of the customer.

In the event of deliveries which are liable to duty, the following must also be listed separately in the invoice:

- costs not included in the price (e.g. commissions, broker fees, licence fees, production material costs, customer provisions);
- costs included in the price (e.g. assembly and freight costs)
- the cost of repair services after material and labour costs.



A declaration of value with the note "For Customs Purposes Only" is also required for free deliveries. The reason for the free delivery must be stated on the invoice or delivery note (e.g. free sample pack). Unless otherwise agreed, the customs clearance is performed by MAN Truck & Bus SE. If the contractor carries out the customs clearance without prior written permission from the customer, they must bear the costs incurred themselves.

II. Export control

1. If the delivered items are subject to export control legislations, the contractor is responsible for providing MAN Truck & Bus SE with the following information by the time of the first delivery at the latest:
 - Export Classification Number (ECN) in accordance to annex AL to the German Foreign Trade regulation (AWV) and/or in accordance to annex I of the EU dual use regulation and/or in accordance to the EU Common Military List (the current version).
 - For items which are subject to the EAR or ITAR (falling under US-Export/Re-Export law) the following information must also be included too:
 - Are the items subject to the Export Administration Regulations (EAR) or the International Traffic in Arms Regulations (ITAR)?
 - The Export Control Classification Number (ECCN) in accordance to EAR or ITAR
 - Was an export/Re-export licence required for one of the previous deliveries?
 - Are items which are subject to the EAR incorporated?
 - The US share of the delivered items in percent, in accordance to CFR 15 part 734.4
If the US share is 10% or more the contractor shall provide the client with full documentation of the DE-Minimis calculation.
2. The requirements above apply mutatis mutandis to technology, software and services related to controlled items. The contractor must provide all necessary documents needed for applying for an export/Re-Export licence and appoint a point of contact name for answering any question.
3. Upon request, the contractor is required to provide all further foreign trade data for the items and their components in writing and inform the customer of all changes to the existing data promptly (before the delivery of the affected items) in writing.
4. The obligations apply even after the business relationship has ended.



III. Authorised Economic Operator (AEO)

1. The supplier confirms that they have, have applied for or will apply for the status of an Authorised Economic Operator (AEO) via one of the following authorisations:
 - AEO authorisation "customs simplifications" (AEOC),
 - AEO authorisation "security and safety" (AEOS) or
 - AEO authorisation "customs simplifications and security and safety" (AEOC and AEOS) (combined authorisation)

2. Suppliers who do not currently fulfil the above requirements, undertake to fulfil the following requirements in the sense of the AEO:
 - Goods that are produced, stored or transported on behalf of the AEO or are delivered to or received by them
 - are produced, stored, handled, processed and loaded at secure business operations and at secure transshipment points
 - are protected against unauthorised access during production, storage, handling, processing, loading and transport
 - Only reliable personnel (e.g. according to the lists of names in accordance with Regulations (EC) No. 2580/2001 and (EC) No. 881/2002 and (EU) No. 753/2011) are deployed for production, storage, handling, processing, loading, transport and receiving of such goods.
 - Business partners who act on my behalf have been informed they must also take suitable measures to safeguard the aforementioned supply chain.