

„No Re-Export to Russia“ Clause

Due to the current geopolitical situation between the European Union and Russia, the EU has implemented regulations governing the export of certain goods to Russia. These measures aim to ensure the effectiveness of sanctions against Russia.

What does this mean for you?

As a customer of OTT-JAKOB Spanntechnik GmbH, we want to inform you about your obligations under these new export restrictions. According to Article 12g of Council Regulation (EU) No 833/2014, you are prohibited from supplying or reselling, directly or indirectly, goods purchased from us to Russia or for use in Russia.

Why is this important?

Violations of these regulations can have serious legal consequences for both you and our company.

The exact regulation in the original wording:

(1) The Importer/Buyer shall not sell, export or re-export, directly or indirectly, to the Russian Federation or for use in the Russian Federation any goods supplied under or in connection with this Agreement that fall under the scope of Article 12g of Council Regulation (EU) No 833/2014.

(2) The Importer/Buyer shall undertake its best efforts to ensure that the purpose of paragraph (1) is not frustrated by any third parties further down the commercial chain, including by possible resellers.

(3) The Importer/Buyer shall set up and maintain an adequate monitoring mechanism to detect conduct by any third parties further down the commercial chain, including by possible resellers, that would frustrate the purpose of paragraph (1).

(4) Any violation of paragraphs (1), (2) or (3) shall constitute a material breach of an essential element of this Agreement, and OTT-JAKOB shall be entitled to seek appropriate remedies, including, but not limited to:

- (i) termination of this Agreement; and
- (ii) a penalty of 5% of the total value of this Agreement or price of the goods exported, whichever is higher.

(5) The Importer/Buyer shall immediately inform OTT-JAKOB about any problems in applying paragraphs (1), (2) or (3), including any relevant activities by third parties that could frustrate the purpose of paragraph (1). The Importer/Buyer shall make available to OTT-JAKOB information concerning compliance with the obligations under paragraph (1), (2) and (3) within two weeks of the simple request of such information.

What do you need to do?

- Verify the final destination: Please carefully verify the final destination of the goods you order.
- Documentation: Keep all relevant documents that provide proof of compliance with the export restrictions.
- Information obligation: Stay informed about any changes to the export regulations.

Important note:

The information provided here is for general information purposes only and does not constitute legal advice. For a comprehensive legal assessment of your individual situation, we recommend that you consult an attorney.

We kindly request your cooperation in ensuring compliance with this regulation.

OTT-JAKOB Spanntechnik GmbH
Lengenwang, November 13th 2024