

TERMS AND CONDITIONS // **TXCARGOSTAR MARITIM**

VERSION 1



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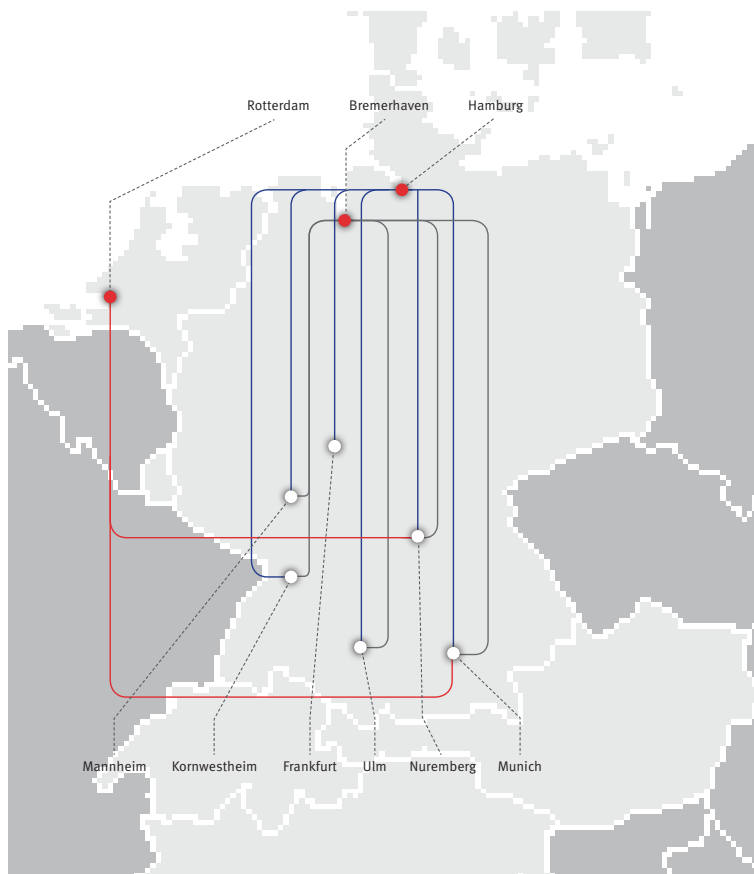
TXCARGOSTAR MARITIM

Founded in 1999 in Bad Honnef, **TXLOGISTIK AG** today is one of the largest rail transport companies in Europe. With own licences we are operating through Europe. We design transport networks without borders, develop freight transport concepts and offer industry-specific customized solutions from A to Z. In the sense of a combined transport model we replace the traditional division of labour in rail transport by modern and lean one-stop shop solutions.

The result: We are moving more than 20,000 trains a year from Germany, the hub of the European flow of goods, through Europe - economically and sustainably. We are consistently exploiting the opportunities offered by a rail transport market for container and automobile transport in Europe that opens up more and more. This way we can give new and strong impetus to rail transport within the scope of international transit traffic.

Under the family brand **TXCARGOSTAR**, **TXLOGISTIK** has developed an innovative logistic system for hinterland transports of sea containers: **TXCARGOSTAR maritim**.

TXCARGOSTAR maritim is a holistic service product for the hinterland transport of maritime containers from the ports of Hamburg, Bremerhaven and Rotterdam to various domestic terminals in Europe. It is characterised by high reliability and daily departures. Our network allows you as customer to book your containers very flexible as well as on a committed basis. All services are fully focused on your advantages. Please find an overview of all currently existing connections on the following map.



SERVED INLAND TERMINALS

- ▶ Munich – Riem (DUSS)
- ▶ Nuremberg– Hafen (TriCon)
- ▶ Ulm (DUSS)
- ▶ Kornwestheim (DUSS)
- ▶ Mannheim (Contargo)
- ▶ Frankfurt (Contargo)

SERVED SEAPORT TERMINALS

- ▶ Hamburg Eurogate (Eurokombi)
- ▶ Hamburg CT Burchardkai (CTB)
- ▶ Hamburg CT Altenwerder (CTA / KTH)
- ▶ Bremerhaven EUROGATE (CT I – III)
- ▶ Bremerhaven NTB (CT IV)
- ▶ ECT Delta Terminal
- ▶ Euromax Terminal Rotterdam
- ▶ RSC Rotterdam

PRODUCTS

1. TERMINAL-TERMINAL

If you book on a Terminal-Terminal-Basis, we will only arrange the pure railway transport. In the seaport „on wagon“ is considered as transfer or takeover point. The delivery or pick up in the domestic terminal needs to be organised by yourself. The first hub at the domestic terminal is included in the rate.

Please notice our terminal conditions for container storage and handling at the domestic terminals! All charges before pick up at the terminals will be on your account. In case of a possible adoption stop by the terminal, containers can only be delivered on the departure day.

2. DOOR-DOOR

Of course, we can also offer wider services for you. In case we are instructed to arrange the trucking in addition to the rail transport, we will quote a rate to you including first hub at the domestic terminal, trucking on standard chassis, delivery and drop off of containers.

The respective depots and other surcharges are mentioned in our side conditions.

If additional places need to be called (e.g. Weighing places or customs offices) there will be extra charge. You can also find most of these fees in our side conditions.

3. PORT POSITIONINGS

Gladly we can also organise port positionings to / from non-directly connected oversea terminals for you. In this case one handling at the rail terminal is included. In case you arrange this process on your own, we will charge the handling to you as well as possible deposit fees.

RESTRICTIONS

A. SPECIAL CONTAINER TYPES

Reefer container

During the rail transport of temperature-controlled containers there is no possibility of active temperature monitoring. **TXLOGISTIK** rejects any liability for any damages arising from the non-existent cooling option / temperature monitoring.

Open Top

Open Top containers can only be accepted in case the goods do not exceed general container dimensions (in gauge only).

Flat

Flat rack containers can only be accepted in case the goods do not exceed general container dimensions (in gauge only).

45' Container

The carriage of 45' containers is only possible on request.

B. SPECIAL TYPES OF GOODS

Prohibitions and restrictions

Goods which can be found on the list of prohibitions and restrictions are excluded from transport. Information provided by German customs serve as mandatory guideline (www.zoll.de).

Following goods are also excluded in case **TXLOGISTIK** should create the T1 document:

- ▶ Nuts (peanuts, hazelnuts, almonds, Brazil nuts)
- ▶ Wild mushrooms
- ▶ Spices
- ▶ Fruits and Vegetables

A list of the affected tariff numbers can be provided upon request.

Waste

Before arrangement of waste bookings we need the waste number (ASN) for checking if transport is acceptable via rail. Usually only scraps on the green list can be accepted. These scraps are defined for recycling or a laboratory investigation (according to EU-law).

C. DANGEROUS GOODS

Containers with dangerous goods or uncleaned empty containers with residues of dangerous goods can't be delivered prior to the date of departure (applicable for export). Incoming containers have to be picked up or ordered on the day of arrival (applicable for import).

Dangerous goods of classes 1 and 7 are excluded from transport!

D. CREATION OF T1 BY TXLOGISTIK

If the creation of a T1 document is arranged by **TXLOGISTIK**, we will provide a NCTS-T1 valid for 7 days. An extension of this time limit is not possible. The creation is limited to a value of € 500.000 per container.

E. WEIGHT LIMITATIONS

The maximum gross weight per container is 31 ts. Containers with a total weight of over 31 ts must be checked separately prior to booking.

LIABILITY

A. LIABILITY OF THE TXLOGISTIK AG

In case of cross-border rail transports we work on the basis of COTIF-Part B/CIM 1999. In the domestic transports, the liability by the rules of the HGB-freight regulations are applicable. In addition the ADSp rules in their latest version are applicable. If the ADSp rules do not apply german law is practicable.

B. NATURE OF LOADING UNITS AND GOODS

With handover of the transport unit, the customer confirms the fact that loading units are suitable and safe for the rail transport.

Only containers marked with a valid CSC plate can be transported. **TXLOGISTIK** is only able to check units trivially from outside and from the ground. **TXLOGISTIK** is not obliged to inspect the goods for damages that are not visible from outside and from the ground. This applies especially to damages of the container roof. A further duty of control (container fine check) is subject to availability upon terminal operators and can be agreed only for additional compensation.

Furthermore **TXLOGISTIK** is not obliged to check the goods, packaging, stowage, fastenings and data provided by the customer. Same goes for passed documents.

C. DETAILS OF THE TRANSPORT ORDER

The customer is liable for the accuracy and completeness of all information provided for respective bookings.

D. DANGEROUS GOODS

A unit containing hazardous cargo must comply with the legal and official standards that are set for the transport by rail and road. The customer is liable for full details of the goods and the correct description according to specific dangerous goods regulations.

The handing over of DG-declarations, notification of precautions and other required documents for a smooth transport is mandatory.

The customer is obliged to deliver export units on the departure day. Import units have to be picked up on the arrival day.

THE BOOKING

You have decided to nominate us for your bookings, thank you very much! Please send us your order via web portal, e-mail or fax. Please find an overview of the relevant contact details attached.

The booking deadline is **at 13:00h on the business day prior to planned departure day.**

For a smooth transport from the port it is necessary that the containers are released by the shipping company. Same goes for the customs release. Customers are responsible to make sure the green light from all authorities. If these releases are not present **TXLOGISTIK** will inform customers via e-mail.

Containers which are not released before closing (13:00h) can be excluded from the originally planned departure. If it has already come to services in advance (e.g. trucking to empty container depot) any additional costs (e.g. waiting time, wasted journey) will be charged to the customer.

To guarantee a correct order processing, we require the following minimum information for the booking:

IMPORT

Shipping data

- ▶ Domestic terminal
- ▶ Required shipping date
- ▶ Place of destination + required date (Port-to-Door-Bookings)
- ▶ Empty container depot (Port-to-Door-Bookings)

Container data

- ▶ Container number
- ▶ Size of container
- ▶ Type of container

Port data

- ▶ Vessel / Carrier
- ▶ Port of departure
- ▶ Country of origin
- ▶ Closing
- ▶ Container release number provided by the carrier
- ▶ PIN (provided by certain carriers only)
- ▶ B/L number

Container content

- ▶ Goods description in German language
- ▶ Number of packages
- ▶ Packaging
- ▶ Weight of goods incl. packaging but excl. container tara

Customs data

- ▶ Hamburg: ATB and ATC numbers (only ATB for T1 documents)
- ▶ Bremerhaven: ATC/ATD numbers

Data for T1-Containers

- ▶ Value of goods in Euro
- ▶ Customs tariff number

- ▶ Customs office
- ▶ Seal
- ▶ T1 adress
- ▶ B/L, commercial invoice, packing list

Dangerous goods data

- ▶ UN number
- ▶ Material designation and hazardous components (N.O.S)
- ▶ Class
- ▶ Possible subsidiary risk
- ▶ Packing group
- ▶ Tunnel restriction code
- ▶ In case of RID (Rail): Hazard identification number
- ▶ DG-declaration incl. details of the consignor

EXPORT**Shipping data**

- ▶ Seaport terminal
- ▶ Domestic terminal
- ▶ Required shipping date
- ▶ Place of receipt + required date (Door-to-Port-Bookings)
- ▶ Empty container depot (Door-to-Port-Bookings)

Container data

- ▶ Container number
- ▶ Size of container
- ▶ Type of container

Port data

- ▶ Vessel / Carrier
- ▶ Port of destination
- ▶ Country of destination
- ▶ Closing
- ▶ Container release number provided by the carrier
- ▶ PIN (provided by certain carriers only)
- ▶ B/L number

Container content

- ▶ Goods description in German language
- ▶ Number of packages
- ▶ Packaging
- ▶ Weight of goods incl. packaging but excl. container tara

Customs data

- ▶ Customs procedures (T1, BVD, T5, common agricultural products)
- ▶ Indication of the documents to be carried
- ▶ Instructions how to handle documents after arrival in the seaport

Dangerous goods data

- ▶ UN number
- ▶ Material designation and hazardous components (N.O.S)
- ▶ Class
- ▶ Possible subsidiary risk

- ▶ Packing group
- ▶ Tunnel restriction code
- ▶ In case of RID (Rail): Hazard identification number
- ▶ DG-declaration incl. details of the consignor

GENERAL INFORMATION

A. RATES

All prices are net plus VAT.

Our tariff and all side conditions apply in the quoted period. **TXLOGISTIK** reserves the right to pass on demonstrable cost increases.

In addition to the tariff rates, we continue to apply a diesel floater. Currently this fuel surcharge is however exposed.

B. SCHEDULES

You can find our schedules under: www.txlogistik.eu. These schedules are not to be regarded as delivery due dates within the meaning of Art. 16 CIM/COTIF.

C. TERMS OF CREDIT

Invoices can be created on the basis of days or weeks. In principle all invoices are payable within 14 days.

D. ADDITIONAL INFORMATION

Our Sales staff will gladly answer to any questions or comments respective our business unit maritime and our network **TXCARGOSTAR** maritim. Please find all contacts attached.

We look forward to working with you!

Sincerely
Your **TXLOGISTIK**-Team