

GENERAL CONDITIONS FOR SALE AND DELIVERY

DK-Version of 07/2012

1. GENERAL AND SCOPE OF APPLICABILITY

- 1.1 These General Terms and Conditions for Sale and Delivery (in the following "GTCs") of the Johnson Controls Denmark ApS (hereinafter referred to as the "Seller") shall apply only in relation to companies, public law corporations and public law trusts within the meaning of the applicable law (hereinafter referred to as the "Purchaser").
- 1.2 The GTCs shall apply to all contracts for sale and delivery of goods (including renewal parts) entered into between the Seller and the Purchaser (the "Contract"). By virtue of the conclusion of the first Contract with the Purchaser the GTCs shall also become part of any future sale and delivery contracts between the Seller and the Purchaser.
- 1.3 These GTCs apply exclusively. The Seller does not accept conflicting, different or supplementary conditions and/or conditions differing from these GTCs, e.g. from the Purchaser. Such conditions shall not become part of the Contract unless the Seller has specifically agreed to their application in writing. This is also valid if the Seller performs delivery of goods to the Purchaser being aware of conflicting, different, supplementary and/or differing conditions of the Purchaser.
- 1.4 If and to the extent the Seller and the Purchaser have agreed that the Seller shall erect and commission the goods delivered by the Seller or that the Seller shall provide any other technical support in relation to the goods, then the Seller's General Conditions for Services shall apply in addition to these GTCs.

2. FORMATION OF CONTRACT

- 2.1 The Contract shall be deemed to have been entered into force only after receipt of an order and if the Seller has sent an acceptance of order in writing to the Purchaser or if the Seller has performed delivery of the ordered goods. The same applies to requests by the Purchaser aimed at supplementing, modifying and/or extending the Contract.
- 2.2 Any quotations of the Seller on goods, price and other relevant conditions made are non-binding offers if not expressly stated otherwise in writing in the quotation.

3. PRODUCT INFORMATION

- 3.1 All information and data contained in product brochures, price lists and/or in any marketing materials are approximate and are binding only to the extent that they are expressly included in the Contract in writing.
- 3.2 The information and data referred to in Clause 3.1 are no guarantee for the quality or durability of the goods.

4. DRAWINGS AND DESCRIPTIONS

- 4.1 All drawings, technical documents and any other documents relating to the goods or their manufacture submitted by the Seller to the Purchaser, prior or subsequent to the formation

of the Contract, shall remain the property of the Seller. The Seller reserves all proprietary rights, copyrights, and other rights with regard to these drawings and documents.

- 4.2 Drawings, technical documents or other technical information received by the Purchaser shall not, without the Seller's prior written consent, be used by the Purchaser for any other purpose than erection, installation, commissioning, operation or maintenance of the goods. They must not, without the Seller's prior written consent, otherwise be used or copied, reproduced, transmitted or communicated to a third party.
- 4.3 The Seller shall, not later than by delivery of the goods, provide the Purchaser with one copy each of drawings and other technical information, which are sufficiently detailed to permit the Purchaser to carry out installation, commissioning, operation and maintenance (including running repairs) of the goods as a whole and of all parts of the goods. The Seller shall not, however, be obliged to supply manufacturing drawings of the goods unless specifically agreed otherwise in writing in the Contract.

5. SUBSTITUTION

The Seller reserves the right to substitute any part whatsoever of the specified goods and/or of the software included in the goods for another part and/or software of equal quality and function as the part and/or software originally specified.

6. PRICE

- 6.1 All prices stated in the Seller's quotations net prices in DKK (Danish Krone) exclusive of VAT and any other duties. Unless otherwise specified in writing, the prices stated in the Contract comprise expenses for such packing or other protection which are required under usual transportation conditions to prevent damage to or deterioration of the goods until arrival at the destination indicated in the Contract. Installation and commissioning are not included in the price unless otherwise expressly agreed upon in writing.
- 6.2 Prices are based on the agreed scope of supply, time of delivery, mode of delivery, and terms of payment. The prices shall only apply to the specific Contract.
- 6.3 The Seller reserves the right to modify the prices if any changes occur in the factors referred to above in Clause 6.1 and 6.2 and reserves the right to change the prices stated in quotations and/or order confirmations should any changes occur with respect to currency rates, customs duty rates, other duties and/or transportation costs.
- 6.4 Price modifications according to the provisions of Clause 6.3 will be communicated to the purchaser in writing with the least possible delay, whereupon these modifications shall become binding.

7. TERMS OF PAYMENT

- 7.1 If not expressly agreed otherwise in writing in the Seller's acceptance of the order, the purchase price for the goods (in

Siemens General Conditions Of Sale Of Goods Services

David Kirk



Siemens General Conditions Of Sale Of Goods Services:

Commerce Business Daily ,1999 **Standard Daily Trade Service** ,1919 **The Mechanical World** ,1911 The Electrical Review ,1926 **Commerce Reports** ,1926 **El Salvador Export-Import, Trade and Business Directory Volume 1 Strategic Information and Contacts** IBP, Inc.,2009-03-20 El Salvador Export Import Trade and Business Directory *Contract Law in England and Wales* James C. Fisher,2018-01-24 Derived from the renowned multi volume International Encyclopaedia of Laws this practical analysis of the law of contracts in England and Wales covers every aspect of the subject definition and classification of contracts contractual liability relation to the law of property good faith burden of proof defects penalty clauses arbitration clauses remedies in case of non performance damages power of attorney and much more Lawyers who handle transnational contracts will appreciate the explanation of fundamental differences in terminology application and procedure from one legal system to another as well as the international aspects of contract law Throughout the book the treatment emphasizes drafting considerations An introduction in which contracts are defined and contrasted to torts quasi contracts and property is followed by a discussion of the concepts of consideration or cause and other underlying principles of the formation of contract Subsequent chapters cover the doctrines of relative effect termination of contract and remedies for non performance The second part of the book recognizing the need to categorize an agreement as a specific contract in order to determine the rules which apply to it describes the nature of agency sale lease building contracts and other types of contract Facts are presented in such a way that readers who are unfamiliar with specific terms and concepts in varying contexts will fully grasp their meaning and significance Its succinct yet scholarly nature as well as the practical quality of the information it provides make this book a valuable time saving tool for business and legal professionals alike Lawyers representing parties with interests in England and Wales will welcome this very useful guide and academics and researchers will appreciate its value in the study of comparative contract law *GAO Documents* United States. General Accounting Office,1987 Catalog of reports decisions and opinions testimonies and speeches

Industrial & Mining Standard ,1917 **Engineering; an Illustrated Weekly Journal** ,1907 **Board of Trade Journal** ,1925 *Board of Trade Journal of Tariff and Trade Notices* ,1922 Board of Trade Journal and Commercial Gazette ,1922 **Mining Journal, Railway & Commercial Gazette** ,1886 **Tramway and Railway World** ,1917

The Electrician ,1905 **World Trade in Commodities** United States. Bureau of Foreign and Domestic Commerce,1945 **Steel Times** ,1923 **Electrical Engineering** ,1909 **Engineering** ,1891

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