



International trade policy

Ness Project Europe is a company that has commercial relations with companies from other countries. Every employee of Ness Project Europe, as well as any entrepreneur involved in these activities, must understand and comply with this international trade policy, regardless of whether they carry out activities in EU member states or outside the EU.

International trade is regulated by numerous international agencies, statutes and laws that control various activities, including, but not limited to, restricting trade relations with certain foreign countries and political groups, the import and export of goods and information, bribery, money laundering and supporting and combating tax evasion. Serious penalties can apply for violations of the law, including criminal convictions of corporate officers and employees involved, as well as fines of millions of euros. In addition, any employee involved in violating any law, regulation or Company policy will be subject to corrective action pending termination of employment by the Company.

This policy is intended to alert employees to transactions, relationships or situations that may raise concerns. If you intend to receive a shipment from abroad, export items from an EU member state, transport an item to or from abroad, or exchange technical information with a foreign or local entity, you should familiarize yourself with the applicable legislation. When in doubt, employees should consult with the legal department or outside counsel, particularly before engaging in a new transaction or entering into a new relationship. "Legal Department" refers to the Legal Department of Ness Project Europe.

Export regulations

Comply with all applicable national and EU export control laws and regulations, as well as those of the countries where Ness Project Europe does business.

Foreign trade at national and European level is governed by the principle of free movement of goods. However, restrictions and instructions are possible if this is necessary to protect certain superior interests.

In many countries, national laws may impose restrictions and statutory obligations that require actions that you should be aware of. In most EU countries, exports must not fuel conflict in crisis areas or contribute to internal repression or other serious human rights violations. Due to their respective international commitments, most countries are bound not to burden their foreign relations with critical exports. Finally, it is important to carry out export control in order to implement the embargo resolutions adopted by the UN Security Council and the EU embargo regulations.

The EU member countries in which the embargo is present are:

- Afghanistan

S.C. NESS PROJECT EUROPE S.R.L.

Str. Conului nr. 9, Clădire C9, Ploiești, Județ Prahova, România

J29/1253/12.10.2010 | CUI: RO 27503616

www.nessproject.eu | office@nessproject.eu



- Belarus
- Bosnia and Herzegovina
- Central African Republic
- China
- Côte d'Ivoire (Ivory Coast)
- Democratic Republic of Congo
- Egypt
- Eritrea
- Republic of Guinea (Conakry)
- Guinea Bissau
- Haiti
- Iran
- Iraq
- Lebanon
- Liberia
- Libya
- Moldova
- Myanmar (Burma)
- North Korea (Democratic People's Republic of Korea)
- The Russian Federation
- Sierra Leone
- Somalia
- South Sudan
- Sudan
- Syria
- Terrorist groups (foreign terrorist groups)
- Tunisia
- Ukraine
- Yemen
- Yugoslavia (Serbia and Montenegro)
- Zimbabwe

Authorization requirements

Authorization requirements may result from the EC Dual-use Regulation, national export regulations, national firearms regulation and anti-torture regulation. Licenses may be required for the export and transfer of goods, as well as for traffic and brokerage transactions and the provision of technical assistance. The term "goods/items" includes goods, technology and data processing software.



Regarding the definition of the term export, it refers to the national provisions on export control and to art. 2 no. 2 of the EC Regulation on dual-use items which refers to the dual-use items listed in Annex I. In simple terms, export means the delivery of goods from the respective national territory or from the customs territory of the EU to a third country; i.e. a territory located outside the EU. Regardless of embargoes, it must be checked whether the goods to be exported are controlled by Part I of the export list/Annex I of the EC Dual-use Regulation or the lists of that Regulation, as the export of these listed goods must be approved in advance by the National Authorities. In practice, most restrictions result from product list coverage.

Export of items not on the export list/Annex I of the EC Dual-use Regulation may require an authorization under Article 4 of the EC Dual-use Regulation in conjunction with national regulations. The structure of these licensing requirements is almost identical. The goods are or may be intended for certain purposes of use. These are i.a. use in connection with the development, production, handling, exploitation, maintenance, storage, detection, identification or dissemination of chemical, biological or nuclear weapons or military end use in a country of acquisition or destination, which is subject to an embargo on weapons. Another condition is that the exporter is aware of this use or has been informed of a possible use by the national authorities.

Exports prohibited

Certain exports and foreign trade activities are prohibited. This applies in particular to certain activities related to weapons of mass destruction. If applicable, you must assess the competent licensing authority. In addition, there are a number of embargoes containing prohibitions and restrictions on foreign trade. Embargoes are imposed on specific countries as well as individual individuals and organizations. These are, for example, embargo measures to combat terrorism. Depending on the scope of the restrictions, there are three types of embargoes: total embargoes, partial embargoes, and arms embargoes. Note that the scope and content of embargoes in force may differ from country to country and may involve various restrictions and prohibitions.

The embargo rules apply not only to the export of an item, but also to the import and transit of goods, the provision of services, investments and payment transactions (financial sanctions). In addition, embargoes can also be imposed on goods that are not normally subject to export controls. When dealing with embargoed destinations, it should always be carefully checked whether the intended action and/or legal transaction is subject to restrictions.

Current information on embargo measures can be found on the web pages of the competent national authorities. You should get an overview of country-related embargoes. The European Union adopted restrictive measures to combat terrorism by adopting Regulations (EC) no. 881/2002, no. 2580/2001 and (EU) no. 753/2011. In accordance with these provisions, the direct or indirect provision of economic resources and financial assets to certain persons, entities or organizations listed in the annexes of the above regulations is prohibited. In addition, the property of these persons, groups and entities is frozen (freezing of funds). The term economic resources includes any type of financial assets (including money), whether tangible or intangible, movable or immovable, that can be used to purchase money, goods or services. Therefore, the direct or indirect delivery of goods to the persons, entities or organizations mentioned in these lists is prohibited, regardless of the country of destination.

S.C. NESS PROJECT EUROPE S.R.L.

Str. Conului nr. 9, Clădire C9, Ploiești, Județ Prahova, România
J29/1253/12.10.2010 | CUI: RO 27503616
www.nessproject.eu | office@nessproject.eu



Note that these prohibitions apply to all persons involved in the delivery. It is not enough to check that the final recipient of the delivery is named in the lists mentioned above. It also makes no difference whether the goods to be supplied are armaments, dual-use items or goods not controlled in the export list, as the term economic resources is comprehensive and refers to all goods that are not intended for consumption or use personal. These regulations are subject to continuous changes.

Import controls

Customs regulations impose obligations on exporters and importers and regulate the release of imported products into the European Union.

When products from within the EU enter another EU member country, the exporter may be required to meet formal requirements, such as an exchange of goods declaration or an intrastate declaration.

As part of the "SAFE" standards supported by the World Customs Organization (WCO), the European Union has established a new import control system, the "Import Control System" (ICS), which aims to ensure the flow of goods at the time of their entry on the customs territory of the EU. This control system, part of the Community program eCustomer, entered into force on January 1, 2011. Since then, operators are obliged to submit an entry summary declaration (ENS) to the customs of the country of entry, before entering the goods into the customs territory of European Union.

In addition to the written customs declaration, an invoice and sometimes a certificate of origin must accompany the imported products. The Modernized Customs Code (MCC), entered into force in 2008, simplifies procedures. However, its substantive provisions will only apply from 1 May 2016. Until then, the Community Customs Code and its implementing provisions continue to apply.

As of 1 July 2009, all companies established outside the EU must have an Economic Operator Registration and Identification (EORI) number if they wish to submit a customs declaration or entry/exit summary declaration.

Violation of import regulations can result in significant criminal penalties, both civil and criminal, and/or confiscation of the assets involved. You must know all customs regulations. Non-compliance based on ignoring the law is considered negligence and may lead to penalties.

Combating bribery and competition law

Employees and contractors who interact with customers, suppliers, agents or government officials in that country, the EU or third countries, must read and comply with the company's anti-corruption policy. You should be aware that, under the laws of some countries, commercial bribery is also prohibited. Commercial bribery is a form of bribery that involves corruptly approaching agents or employees of potential business partners in order to gain an advantage over business competitors. It is a form of corruption that does not necessarily involve government personnel or facilities.

Employees and contractors who engage with customers, vendors or competitors in the United States or abroad must read and comply with the Company's Competition Law.

Anti-Money Laundering and Tax Evasion Act



Money laundering laws in your country and in the EU prohibit people and companies from engaging in transactions involving the proceeds of criminal activities. Knowledge that proceeds are derived from criminal activity may be inferred from the collective knowledge of various employees of a company or from the failure of an enterprise to investigate suspicious activity. The main objective is to ensure the transparency of business relationships and financial transactions on a risk-oriented basis. This includes what is known as customer background checks. In addition to establishing the identity of the customer and any other beneficial owner, where possible, background checks should be carried out on the basis of the business relationship and such relationships should be monitored on an ongoing basis. These measures enable tracking of cash flows and identify unusual or suspicious transactions or business relationships.

Persons and companies subject to money laundering provisions are required to carry out checks on these transactions or business relationships. If there are reasons to suspect that assets related to a transaction or business relationship are the result of illegal money laundering or if the assets are related to the financing of terrorism, such suspicions must be reported to national authorities and law enforcement agencies.

Tax evasion

In addition, company law and policy prohibit employees from engaging in or supporting any activity that seeks to violate the tax laws of any country. Any request from a seller or customer that appears to attempt to evade the tax laws of a country is strictly prohibited and should be brought to the attention of the Legal Department. No employee will aid or abet another in breaking any law, whether in your country, the EU or a third country.

* * *

It is the responsibility of each employee of the Company, engaged in transactions carried out on behalf of the Company, to ensure that this Policy applies and that European and foreign national laws are respected with respect to all transactions. If you have any questions, please contact the Legal Department.

S.C. NESS PROIECT EUROPE S.R.L.

Str. Conului nr. 9, Clădire C9, Ploiești, Județ Prahova, România
J29/1253/12.10.2010 | CUI: RO 27503616
www.nessproject.eu | office@nessproject.eu