

General Regulatory Conditions (GRC)

通用监管条件 (GRC)

Addition to GTS of Hamilton Medical AG and Hamilton Bonaduz AG respectively

分别添加至 Hamilton Medical AG 和 Hamilton Bonaduz AG 的 GTS

1. Trade Compliance Management Commitment

贸易合规管理承诺

11 Hamilton (to be confirmed which of the entities, Medical/Bonaduz or both) understands the importance of export compliance and takes its responsibilities seriously. It is incumbent upon Hamilton that it grows business in a way that is both compliant with relevant legislation and reflective of best industry practices.

哈美顿（待确认，**Medical/Bonaduz** 或两者都有）理解出口合规的重要性，并认真对待其责任。哈美顿有责任以符合相关立法和反映最佳行业实践的方式发展业务。

12 Hamilton's commercial success depends on its ability to conduct business worldwide, and in various jurisdictions, transacting with foreign organizations including governments and commercial organizations in a legally compliant manner.

哈美顿的商业成功取决于其在全球和各司法管辖区以符合法律的方式与包括政府和商业组织在内的外国组织进行业务的能力。

13 Export control regulations are present and being enforced in countries throughout the world with the aim of supporting national security policies and preventing the illegitimate development of Weapons of Mass Destruction and related terrorist activities.

全世界各国都制定并执行出口管制条例，目的是支持国家安全政策，防止非法发展大规模毁灭性武器和相关恐怖活动。

14 Hamilton takes a strong stance within our business geared towards understanding these controls and ensuring full compliance.

哈美顿在我们的业务中采取了强有力的立场，以理解这些控制措施并确保完全遵守。

15 Hamilton expects its business partners to adopt the same stance and undertake necessary efforts to ensure full compliance with applicable export controls regulations.

哈美顿希望商业伙伴采取同样的立场，并作出必要的努力，确保充分遵守适用的出口管制条例。

2. Trade Compliance Practice

贸易合规惯例

21 Hamilton regularly screens all of its customers and suppliers in order to ensure compliance with CH/EU/US and other applicable export regulations. Hamilton requires that all the necessary licenses and other governmental approvals are in place prior to exporting controlled/ listed products and technology.

哈美顿定期筛查其所有客户和供应商，以确保符合瑞士/欧盟/美国和其他适用的出口法规。哈美顿要求在出口受控/上市产品和技术之前，获得所有必要的许可证和其它政府批准。

22 Hamilton will ensure that no item is exported without first determining if a license is required, a review is made on all proposals, contracts, deliverables, shipments, and transfers with possible export control issues to ensure that exports are compliant with relevant export laws and regulations.

哈美顿将确保在不首先确定是否需要许可证的情况下不出口任何物品，并对可能存在出口管制问题的所有提案、合同、可交付成果、装运和转让进行审查，以确保出口符合相关出口法律法规。

3. Third-Party Trade Compliance Expectations

第三方贸易合规预期

31 We expect that all recipients (importer/buyer/exporter/seller/partner/end-user) of Hamilton transfer goods (including hardware and/software and/or technology as well as all corresponding documents) also ensure compliance with all applicable national and international (re-) export control regulations.

我们期望哈密顿转让货物（包括硬件和/软件和/或技术以及所有相应文件）的所有接收方（进口商/买方/出口商/销售商/合作伙伴/终端用户）也确保遵守所有适用的国家和国际（再）出口管制条例。

32 For our business, it is essential that we comply with the legislation: failure to do so would attract serious penalties for the company and for the individuals concerned.

对于我们的业务来说，我们必须遵守法律：不遵守法律会对公司和有关个人造成严重的惩罚。

33 The (Importer/Buyer *et al*) undertakes to ensure that the purpose of these measures is not frustrated by any third parties further down the commercial chain, including by possible resellers.

（进口商/买方等）承诺确保这些措施的目的不会受到商业链上任何第三方的阻碍，包括可能的经销商。

34 The (Importer/Buyer *et al*) must 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 these measures.

（进口商/买方等）必须建立并维持适当的监测机制，以检测商业链下任何第三方（包括可能的转售商）的行为，这可能会妨碍这些措施的目的。

4. General Third-Party Trade Compliance Commitments

通用第三方贸易合规承诺

- 41** The Distributor is obliged to ensure that for controlled products that require a license for export, both the license and the EUC have been obtained and accompany the export.

经销商有义务确保，对于需要出口许可证的受控产品，在出口时获得并随附出口许可证和EUC。

- 42** The Distributor is obliged to make sure that the Products are and will be used only for medical, pharmaceutical, or industrial purposes and not be used in any nuclear explosive activity or unsafe-guarded nuclear fuel-cycle activity or for the design, development, production, storage or use of nuclear, chemical and biological weapons or their delivery systems and for facilities engaged in such.

经销商有义务确保产品仅用于医疗、制药或工业目的，不得用于任何核爆炸活动或不安全保护的核燃料循环活动，或用于核生化武器或其运载系统的设计、开发、生产、储存或使用，以及用于从事此类活动的设施。

- 43** Where any doubt exists as to the requirement above being met, the Distributor is obliged to obtain an end-user certificate duly signed by the end users and is obliged to provide Hamilton a copy of such end user certificate on first demand. Hamilton is entitled to request the Distributor as to additional requirements to be observed and/or request additional confirmations that are to be provided by end user and may inform the Distributor if there are specific doubts from the side of Hamilton.

如果对上述要求的满足存在任何疑问，经销商有义务获得由终端用户正式签署的终端用户证书，并有义务在首次要求时向哈美顿提供此类终端用户证书的副本。哈美顿有权要求经销商遵守额外要求和/或要求最终用户提供额外确认书，如哈美顿方面有任何疑问，哈美顿可告知经销商。

5. Country specific Trade Compliance Commitments

国家特定贸易合规承诺

5.1 Russia

俄罗斯

- 5.1.1** The Distributor understands and warrants that it shall not re-export, re-transfer or divert the Products to Russia or for use in Russia in the event that the Distributor/Buyer is located in a third country outside the EEA or a Partner Country and the Products qualify as goods listed in Annexes 3 or 19 or as goods with high priority in accordance with Annex 31 of the Swiss Ordinance on measures in connection with the situation in Ukraine (SR 946.231.176.72) respectively goods or technologies listed in the Annex XI, XX, XXXV or goods with high priority in accordance with Annex XL of Regulation (EU) No 833/2014, or firearms and ammunition according to Annex I of Regulation (EU) No 258/2012.

经销商理解并保证，如果经销商/买方位于欧洲经济区（EEA）或合作伙伴国家以外的第三国且产品符合附件3或19所列货物或符合附件31的高优先级货物的资格，或符合附件XI、XX、XXXV所列货物或技术的相关措施相关瑞士法令（SR 946.231.176.72）附件31的高优先级货物的资格，或符合附件 XL 欧盟法规（EU）第833/2014号的高优先级货物的资格，或符合附件 i 欧盟法规（EU）第258/2012号的火器和弹药资格，其不得向俄罗斯或用于俄罗斯。

- 5.1.2** Where Hamilton knows or has reason to believe that the Distributor/Buyer has breached this “no re-export to Russia clause”, it is entitled to retain the products at issue.

如果哈美顿知道或有理由相信分销商/买方违反了该“禁止向俄罗斯再出口”条款，则其有权

保留相关产品。

- 5.1.3** Further, in case of a material breach (violation of the “no re-export to Russia clause”, Hamilton is entitled to immediately terminate the agreement with the Distributor without incurring any liability.

此外，如果出现重大违约行为（违反“禁止向俄罗斯再出口”条款），哈美顿有权立即终止与经销商的协议，且无需承担任何责任。

- 5.1.4** Hamilton reserves the right to inform the competent authority of any breach of this obligation by the Distributor/Buyer.

哈美顿保留通知主管机构经销商/买方任何违反该义务的权利。