

MONTGOMERY TRANSPORT GROUP

Incorporation of Annex: Operator Responsible for the Load (IMSOC / IPAFFS)

Definitions

Unless otherwise indicated with immediate effect, the provisions of this Annex apply where the relevant contracting entity within the Montgomery Transport Group (MTG), namely Montgomery Transport Limited (NI012639), Montgomery Transport Ireland Limited CRO 116625, Montgomery Distribution Limited (NI046408) or Montgomery Freight Management Limited (NI653566), expressly agrees in writing, at the Customer's request, to act as the Operator Responsible for the Load.

Details

When acting as the Operator Responsible for the Load or person responsible for the consignment within IMSOC (formerly TRACES) or the UK Import of Products, Animals, Food and Feed System (IPAFFS), the following shall apply:

1. The customer remains fully liable for all regulatory obligations associated with the goods in question.
2. The customer shall indemnify and hold harmless the relevant contracting party, its authorised subcontractors, group companies, officers, employees, agents and representatives from and against all costs, expenses, penalties, liabilities, claims, regulatory charges, inspection charges, storage, demurrage and professional fees incurred in acting as the Operator Responsible for the Load or person responsible for the consignment.
3. The customer agrees to reimburse MTG for such costs, expenses, and charges in full, without deduction or set-off, within fourteen (14) days of a written request for payment.
4. The relevant contracting party's agreement to act as the Operator Responsible for the Load or person responsible for the consignment does not transfer any underlying responsibility for compliance with applicable laws, systems requirements, import conditions, commodity restrictions, documentary requirements, health certification or border-control obligations, which remains solely with the customer.
5. Jurisdiction shall follow the governing law and jurisdiction clause in the relevant Terms of Business, except that IPAFFS activity shall be treated as UK-regulated activity and IMSOC activity shall be treated as EU/Irish-regulated activity for regulatory-compliance purposes.
 - 5.1. For IMSOC activity, the customer remains responsible for compliance with EU and Irish SPS and official-controls requirements.
 - 5.2. For IPAFFS activity, the customer remains responsible for compliance with UK SPS and official-controls requirements.