

PAMPHLET

12

GENERAL RECOMMENDATIONS ON THE TERMS OF CONTRACT

également
disponible
en Français

There are as many sales contracts as there are companies. Whether it is because of the history of the companies, the types of software used, the origins or the products handled, each entity has developed its own sales description.

In the past, the ATIBT has proposed various model contracts, based in particular on the Méniard contract (1931)¹.

These models have evolved over time, the most recent being « *Les contrats et usages recommandés dans le négoce international des bois tropicaux (1988)*². »

This pamphlet incorporates the recommendations of the ATIBT's Technical Commission. The review of the document bundle and the section on certifications are covered in the corresponding pamphlets.

These recommendations are organised into four sections: (1) Record; (2) Product description; (3) Shipment; (4) Payment.

1. RECORD

- Date of contract - Date of signature
- Number of pages
- Contract reference – Record number
- Seller
 - Address / contact details
 - Consignee: name
- Buyer
 - Address / contact details
 - Issuer: name
- Import licence
- Agent or broker - Commission and contact details

1. <http://www.manioc.org/patrimoine/GAD12017> (in French, see page 128 of the book)

2. Available on the ATIBT website. This document refers in particular to the "UNICIF" standard contract which governed relations between UK importers and exporters in the British Overseas Territories. This UNICIF contract was used by UK agents and brokers. It also refers to the BELTROP standard contract (1977) drawn up by the *Fédération Belge du Commerce d'Importation de Bois Tropicaux* by combining certain standard clauses and practices recommended by the ATIBT with certain provisions specific to insurance.

2. PRODUCT DESCRIPTION

- Species
 - Pilot name according to the *General Nomenclature of Tropical Timber (ATIBT 2016)*
 - Botanical name according to the *General Nomenclature of Tropical Timber (ATIBT 2016)*
- Country of origin
- Region / Province
- Area
 - Annual Felling Plot
 - Date or time range of production
- Product: sawn, dressed or jointed
- Certification: type of certificate / number
- CITES: licence number
- Treatment: product name and composition
- Moisture content (MC): rate and tolerance
- Quality: grade (Prime/FAS, etc.) or specific standards
- Diagram or drawing, if any: in the case of dressed or jointed timber, drawings with precise measurements, angles and profiles are recommended.
- Thickness and allowance: in millimetres (mm) + any tolerances.
- Width and allowance: in millimetres (mm) + any tolerances.
- Length and allowance: in metres (m), sometimes in millimetres (mm), + any tolerances
- Number of pieces: if necessary for cutting to specifications
- Quantity: number of pieces - linear metre - square metre - cubic metre; tolerance on quantity: +/- 10% over the entire contract.
- Bundling
 - lathing / lath dimensions
 - length per parcel
 - protection
- Shipping marks
 - see local standards
 - shipper's mark
 - parcel numbering
 - contract number
 - logo
 - certification
 - species or mix
- ISPM 15 (see pamphlet 11: *Document bundle*)
- Price:
 - unit to be specified m³, m or per piece
 - currency: EUR / USD ... per unit

3. SHIPMENT

- Port of loading
- Transit: Transit port
- Port of destination: port, place, country
- Incoterms® (ICCP³): place and year of the Incoterms® (see Leaflet 09. *2020 Incoterms®*)
- Export licence number
- Customs number
- Shipment date

- Type of load
 - Breakbulk
 - Container: 40' HC, 40', 20', open top, open side, etc.
 - Volume per container

- Shipping Company
- Consignee name & address
- Shipper name & address
- Freight - place of payment
- Booking reference
- Notify party (and second notify party, if applicable)
- Documents (see pamphlet 11. *Document bundle*)

4. PAYMENT TERMS

- Payment: method and deadline for payment
- Invoice address
- Our bank
- Your bank
- General terms and conditions of sale and jurisdiction in the event of a dispute
- Visas for contractors

Specifications relating to EUTR/EUDR and CITES (Washington Convention) are given in the corresponding pamphlets.

3. *International Chamber of Commerce of Paris*