

**TERMS AND CONDITIONS OF USE
FOR THE JOURNAL FOR SALVAGE TENDERS**

ON JANUARY 1, 2023

a. Availability and procedures

1. The journal for salvage tenders (hereinafter referred to as the Journal for Salvage Tenders) is available to customers (hereinafter referred to as the Customer) on working days and Saturdays from 7:00am to 10:00pm.

b. Conditions of submission of tenders

2. Only tenders received by Informex between 7:00am and 10:00pm will be taken into account.
3. The vehicles are put up for tender in the salvage tenders journal by the owner of the damaged vehicle, or by the party subrogated in the latter's rights, or by their designated agent, **who shall be solely liable** (hereinafter referred to as the "Seller"). Informex shall, at the Seller's request, provide information concerning the vehicle as communicated by the Seller. Informex shall collect and forward the tenders to the Seller as received.
4. The information provided, and in particular the characteristics of the vehicles as well as any photos, are sent by the Seller for references purposes only and under the latter's responsibility. These are not verified in any way by Informex.
5. Informex also provides descriptive information ex factory (VIN) insofar as such information has been provided by the manufacturers. Informex does not, and is not in a position to, verify whether such descriptive information ex factory is accurate for the vehicle concerned.
6. Informex also provides descriptive information regarding the registration of the vehicles in Belgium (DIV). Informex does not, and is not in a position to, verify whether such registration information is accurate for the vehicle concerned.
7. Informex shall consequently not be held liable for the indications, information and photos contained in the salvage tenders journal. It is up to the party who wishes to make an offer (hereinafter referred to as the Bidder) to verify them before making an offer. Under no circumstances will the Bidder be able to invoke misjudgement errors for offers made with Informex without prior onsite examination of the vehicle.
The bidder always submits a bid for the vehicle as it is at the time it is put up for tender in the salvage tenders journal.
8. The vehicles are put up for tender during a specified period which shall expire on the date posted in the salvage tenders journal (hereinafter referred to as the expiry date). Only offers received by Informex at the latest by 10:00 PM on the expiry date will be forwarded to the Seller of the vehicle (subject to the provisions of point 15 infra).
9. Invitations to tender are valid for a period of (hereinafter referred to as the date of validity) 20 days after the expiry date.
10. The offer is binding for the Bidder during this entire period. Acceptance of the offer shall be definitively binding for the Bidder.
11. In the event of non-compliance with an accepted offer, the Seller shall be entitled to take all such measures as necessary to force the Bidder to honour his commitment. The Bidder's subsequent offers may moreover be ignored as a result.

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c. How to remit a tender

12. When the Bidder enters 2 tenders, he wishes that :

- The tender entered in the zone “OFFRE MARGE” is only taken into account if the scheme applicable to the sale of the vehicle, determined by the assessor, is “A LA MARGE” (private vehicle).
- The tender entered in the zone “OFFRE” is only taken into account when the scheme applicable to the sale of the vehicle, determined by the assessor, is “NON A LA MARGE” (vehicle subject to VAT).

13. When the Bidder enters only 1 tender in the zone “OFFRE MARGE” :

- He wishes that his tender is only taken into account, if the scheme applicable to the sale of the vehicle, determined by the assessor, is “A LA MARGE” (private vehicle).

14. When the Bidder enters only 1 tender in the zone “OFFRE” :

- He wishes that his tender is always taken into account whether the scheme applicable to the sale of the vehicle, determined by the assessor, is “A LA MARGE” (private vehicle) or “NON A LA MARGE” (vehicle subject to VAT).

15. If a problem arises, it is possible to indicate one of the following comment codes:

Code 01:	Vehicle being repaired
Code 02:	Access denied
Code 03:	Vehicle not visible
Code 04:	Vehicle already sold

Informed immediately, the Seller can take appropriate action and the remark will appear in the table of offers received by the Seller and the Insurer.

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d. Choice of tender

16. The Seller remains free to determine which of the tenders he receives, is the one that appears most attractive. He may take into consideration not only the price offered, but also and in particular, the seriousness of the tender, the solvency of the Bidder, and how the latter treated previous tenders that were accepted. The Seller shall consequently be entitled to refuse a tender, even one for a higher price, if he considers a lower tender to be more attractive, when taking into consideration all the criteria that determine his choice.
17. Informex shall limit itself to forwarding the tenders received and shall in no way intervene in the decision-making process. Informex can consequently under no circumstances be held responsible for the choices made by the Sellers on the basis of the tenders submitted to them.

e. Payment system

18. From the outset of the invitation to tender in the journal for salvage tenders, Informex indicates to the Bidder whether the payment procedure for the vehicle via Informex is applicable, depending on the Seller's choice.
19. When the Seller chooses a tender and, on the basis of elements at his disposal, decides to apply the payment of the vehicle via Informex, the Bidder shall, by virtue of his offer, be required to comply with said procedure.

f. Services

20. DIV:

Descriptive information of the vehicle containing certain technical data provided when the vehicle was registered.

21. VIN:

Descriptive information of the vehicle ex factory.

22. Photos:

Album of 20 photos maximum provided by the Seller.

23. Winning tender message:

Notification informing the Bidder that he submitted the highest tender.

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g. Suspension

24. Informex reserves the right to suspend access to services for such purposes as maintenance, failure or any other technical requirement.
25. Informex reserves the right to suspend access to the salvage tenders if any information provided during registration is incorrect and which could prove to be detrimental to the proper operation of the salvage tenders and its intended purpose.

h. Miscellaneous

26. Informex owns a set of intellectual property rights relating to databases and software programmes used for the tenders among parties. These rights include both programmes and the contents of the databases. The Customer undertakes to take no action that could infringe on the rights of Informex. More specifically, he undertakes not to copy, reproduce, distribute or modify the software, data, photos etc. during the whole duration of the invitation to tender, used by Informex or accessible through its website, for any reason, other than the use of the Informex services. Any infringement will result in the suspension of the Informex services.
27. Informex reserves the right to change the current terms and conditions for the use of the salvage tenders at any time and in particular to adapt them to the changes of proposed services to customers, technical developments, or the law. The modification of the general terms and conditions is done through a notice published in the salvage tenders, which contains the text with the new general terms and conditions. In case of change, the new terms and conditions take effect on the date specified in the notice. The Customer who does not accept the new terms and conditions shall be entitled to end the contract with Informex, without any penalty, provided he notifies his decision within 20 days following the publication of the new terms and conditions on the salvage tenders.
28. In case of dispute, only the Brussels courts shall be competent.