



Department
for Transport

Government Secured Freight Capacity Suppliers and Hauliers Registration Guide Moving Britain Ahead

OGL

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Purpose of Document

As part of contingency preparations for a possible disruption at the end of the Transition Period, Government has secured 'Roll-on, Roll-off' (Ro-Ro) freight capacity. This capacity will be available to support the continued flow of Category 1 goods in the event of any major disruption for the movement of goods.

The purpose of this document is to provide identified potential users of the Government secured freight capacity with information on how to access it. It outlines the process for registering and booking available capacity, and the conditions for use. It also provides contact points for relevant stakeholders.

This information pack is for suppliers of Category 1 goods and their Hauliers (e.g. logistics providers or 3PLs).

1. Government secured freight capacity: Overview

Background

Why the Government is securing freight capacity

Because of changes in the trading relationships between the UK and EU after the end of the Transition Period, disruption to the flow of freight may occur. The freight terminals forecast as most likely for potential disruption, should it occur, for a short-term period after 31 December 2020 include the short Strait crossings from Dover to Calais and Dunkirk, and Folkestone to Coquelles. This was set out by the Chancellor of the Duchy of Lancaster to Parliament on 23 September 2020.

To mitigate against the possible disruption to the supply of the most critical goods, the UK Government has secured freight capacity to enable these goods to use alternative crossings and continue to move between the UK and EU. The Government secured freight capacity will be operational from 31 December 2020.

The Government secured freight capacity is available only for the transportation of Category 1 goods.

The ticketing process for Government secured freight capacity will follow normal market procedures where possible. However, as this capacity is provided as a contingency measure, additional controls will be in place to ensure that this capacity is used in accordance with the conditions set out in this guide.

What is a Category 1 good?

Category 1 goods are those which are critical to preservation of human or animal welfare and/ or national security for the United Kingdom. They have been identified and agreed as part of a wide programme of work across UK Government.

The list of Category 1 goods, which has been agreed by ministers across Government, is published online at:

<https://www.gov.uk/government/publications/critical-goods-for-Government-secured-freight-capacity>

Only suppliers of goods which are on this list are eligible to use Government secured freight capacity.

The Government reserves the right to amend the list of approved Category 1 goods at any stage. It is the responsibility of the Suppliers and their Hauliers to regularly

check the most up-to-date list of approved Category 1 goods. If there is any change to the lists, the most recent version should always be referred to

What will the Government secured freight capacity provide?

The Government secured freight capacity provides suppliers with the option of utilising an alternative route to support the flow of Category 1 goods in to and out of the UK.

There is no guaranteed access to the Government secured freight capacity. It is available on a 'first-come, first served' basis for registered suppliers of Category 1 goods.

There will be no 'Turn up and Go' freight access. All tickets on the Government secured freight capacity will need to be booked in advance. Tickets will be valid for the booked crossing only and subject to the usual terms and conditions of the freight operator concerned.

There will be no expedited handling or priority access within either the entry or exit terminal at both the UK and EU point for users of the Government secured freight capacity. There will be no additional assistance provided to these HGVs when approaching the terminals (e.g. these goods will not be given priority access through traffic management systems).

Category 1 suppliers and their hauliers **must still complete all relevant preparations and paperwork** which will be introduced after the end of the Transition Period. This includes the completion of relevant documents for the transportation, and import or export of goods. Further information can be found at:

- Guidance for Businesses - <https://www.gov.uk/transition>
- Guidance for Hauliers importing - <https://www.gov.uk/prepare-to-import-to-great-britain-from-january-2021>
- Guidance for Hauliers exporting - <https://www.gov.uk/prepare-to-export-from-great-britain-from-january-2021>

Conditions of use for the Government secured freight capacity

Overview

The restrictions on usage outlined below are designed to maximise the utilisation of the Government secured freight capacity in supporting the continued supply of Category 1 goods.

Tickets purchased under the Government Secured Freight Capacity will be subject to the Terms and Conditions of the freight operator. Compliance with the conditions of usage will be subject to regular checks.

Transportation of non-Category 1 goods

Only Category 1 goods can be transported on the Government secured freight capacity. The use of Government secured freight capacity for the transportation of non-Category 1 goods is forbidden.

As such, the transportation of mixed loads containing non-Category 1 goods and Category 1 goods is forbidden.

Instead, the consolidation of Category 1 goods only, potentially from multiple suppliers, by hauliers is encouraged where possible. It is acknowledged that this may not be possible in all instances, e.g. due to limitations on the loading factor which can be used for certain goods.

The Government Secured Freight Capacity tickets will be sold individually for each one-way journey. The capacity may be used to carry an empty container if it is the return leg of a supply journey.

Resale of Government secured freight capacity

Once purchased from the freight operators, tickets for the Government secured freight capacity cannot be sold on to other hauliers or suppliers.

Documentation for travel

It is the responsibility of the Hauliers and 3PLs to ensure all documentation is in order before commencing their journey. There will be no exemptions from due process or expedited handling for HGVs containing Category 1 goods.

This includes, but is not limited to, a complete Customs Declaration, valid ticket reference and ECMT permit (if required).

In the event that an HGV is unable to board a service due to incomplete paperwork, it is the responsibility of the Hauliers and 3PLs to arrange alternative transportation. They will not be able to apply for a refund, unless stipulated in the terms and conditions of the freight operator.

2. Government secured Freight Routes

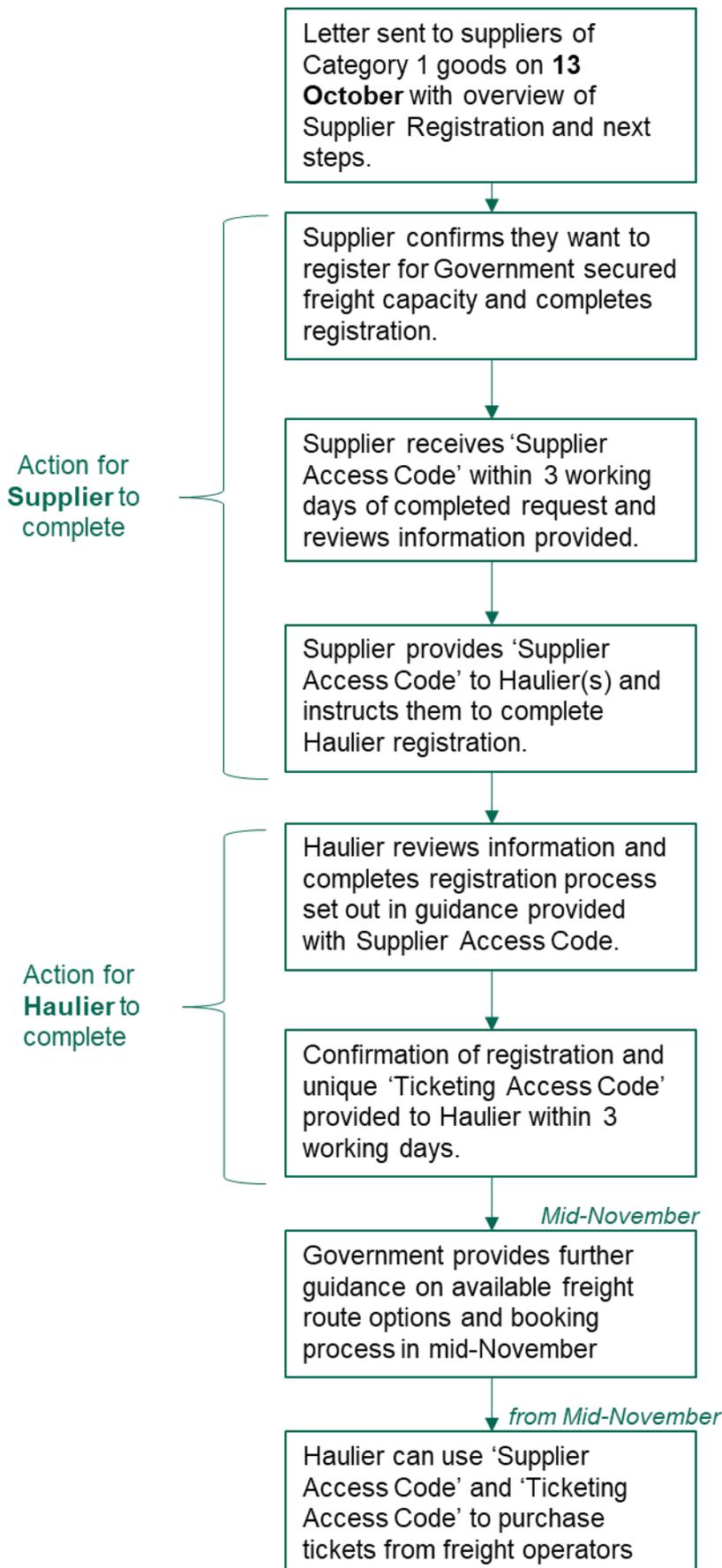
The Government Secured Freight Capacity will be in operation from 31 December 2020 to 30 June 2021. During this period capacity on the below routes will be available for Category 1 suppliers and hauliers. Full details of sailing schedules, crossing times, commencement dates and prices will be released in mid-November prior to the sale of tickets.

The table below outlines the specific routes for each operator where capacity is being made available:

Operator	UK Terminal	EEA Terminal	Accompanied / Unaccompanied
Brittany Ferries	Poole	Cherbourg	Accompanied
	Portsmouth	Le Havre	Accompanied
DFDS	Felixstowe	Vlaardingen	Unaccompanied
	Newhaven	Dieppe	Accompanied
P&O	Hull	Europort	Accompanied
	Tilbury	Zeebrugge	Accompanied
	Tilbury	Zeebrugge	Unaccompanied
	Teesport	Zeebrugge	Unaccompanied
Stena	Harwich	Hook of Holland	Accompanied
	Harwich	Rotterdam	Unaccompanied

3. Registration and Ticketing Process

Please note that further information regarding ticketing will be released in week commencing 16 November. Registration at this stage does not commit the supplier to purchasing a ticket.



4. Supplier Registration Overview

Overview

Suppliers of Category 1 goods have been identified by their sponsor departments within central Government. The sponsor department is the one which has the responsibility for the sector which either produced or uses the Category 1 good.

All suppliers must be registered before they can access the Government secured freight capacity. Registering as a supplier does not commit supplier to use of the capacity.

Once supplier registration has been completed, the supplier will be provided with a 'Supplier Access Code'. This is unique to each supplier and will be required at the point of booking a ticket.

Government secured freight capacity should only be used for the transportation of Category 1 goods. Suppliers must share their Supplier Access Code with their haulier(s) for the movement of Cat 1 goods only. Failure to comply with this could result in the Supplier Access Code being withdrawn or additional controls being imposed.

All information provided as part of the registration process will be stored and handled in accordance with the General Data Protection Regulation (GDPR).

Lists of the Supplier Access Codes will be provided to the freight operators to allow them to verify ticket bookings.

Suppliers will be required to provide the necessary liaison with their haulier(s). This means they will be responsible for passing on the necessary information to the haulier(s), including relevant registration information and the unique Supplier Access Code.

5. Haulier Registration Guide

Overview

This information is provided for the Hauliers who will be using the Government secured freight capacity on behalf of authorised Suppliers of Category 1 goods.

A Haulier should only seek to use the Government secured freight capacity if they have been instructed to do so by an authorised Supplier of Category 1 goods (those with a Supplier Access Code). It is forbidden for the Haulier to transport non-Category 1 goods using the Government secured freight capacity, or transport Category 1 goods on behalf of non-registered suppliers.

Haulier Registration Process

Suppliers are responsible for passing on the relevant information to their Hauliers, including the Supplier's unique Supplier Access Code. The Supplier will instruct their Haulier to complete the registration instructions. A Haulier will only need to complete the Haulier Registration Process once, even if they transport goods on behalf of multiple Suppliers.

A Haulier must complete the following registration process to access the Government secured freight capacity. Any access codes generated as part of contingency preparations in 2019 are no longer valid.

To register as an Approved Haulier to use the Government secured freight capacity, you are required to complete the following Steps:

- 1 Store the Supplier Access Codes in a safe place for future reference. If you transport Category 1 goods for multiple authorised Suppliers, you should retain every unique code provided to them. These will be required when booking tickets for the Government secured freight capacity.
- 2 Read the 'Terms of Usage' information provided in Annex A of this document and the 'Background to Government secured freight capacity' document – it is essential that you understand this information.
- 3 **Complete the Direct Agreement through this [link](https://docs.google.com/forms/d/e/1FAIpQLSfwfWzGIqiULbUfWN5Z74oJE5VwV6PXA14Jkze4BWRHj3qi9Q/closedform).** (https://docs.google.com/forms/d/e/1FAIpQLSfwfWzGIqiULbUfWN5Z74oJE5VwV6PXA14Jkze4BWRHj3qi9Q/closedform). Full text of the Direct Agreement is available for viewing as Annex E of this document but the form must be completed using the online link.

- 4 This agreement will commit the Haulier to adhering to the conditions of the Government secured freight capacity. Adherence to the conditions will be regularly checked. Please note that you will not receive a confirmation of receipt when the Direct Agreement is submitted. Basic contact details will also be collected during this process. These contact details will be used to communicate any relevant information directly to the registered Hauliers. All personal information will be stored in accordance with the General Data Protection Regulation.
- 5 The completed Direct Agreement will be checked by the Department for Transport. If completed correctly, you will receive an email with a unique Ticketing Access Code.
- 6 If there is an issue with your submitted Direct Agreement, you will receive an email with instructions on how to re-submit the information correctly. Once your resubmission has been checked and approved by the Department for Transport, you will receive an email with a unique Ticketing Access Code.
- 7 The Department for Transport aims to issue Ticketing Access Codes to Approved Hauliers within 3 working days of the Direct Agreement being correctly submitted. This email will be sent to the email address provided by Hauliers during the completion of the Direct Agreement. Please ensure that you check your email inbox and other folders (e.g. 'Junk') for this email.

Please note that each Ticketing Access Code is for the exclusive use of that Haulier and must not be transferred to any other person under any circumstances. If any haulage work is subcontracted to a different logistics provider, they will also be required to register before they can book tickets from the Government secured freight capacity.

A Haulier may complete the Direct Agreement on behalf of any other group company (i.e. their subsidiaries or affiliates) by listing such group companies in Annex 2 of the Direct Agreement. Any group companies listed in Annex 2 of the Direct Agreement may then use the same Ticketing Access Code to transport Category 1 goods and the same terms of usage will apply.

Alternatively, if they are not listed in Annex 2 of the Direct Agreement, other group companies who also transport Category 1 goods may complete a separate Direct Agreement to register in their own right and to access Government secured freight capacity. For the avoidance of doubt, tickets for Government secured freight capacity will only be sold to Hauliers who can provide the:

- a. Ticketing Access Code (where the name of the company seeking to purchase a ticket matches the name of the company or group companies who were registered against that code); and
- b. Supplier Access Code(s) relevant to the goods that will be carried on that load.

The list of Ticketing Access Codes for approved Hauliers will be passed to the freight operators by the Department for Transport. This will enable the freight operators to verify that any Haulier trying to access the Government secured freight capacity has completed the required registration process.

Further information regarding the booking of tickets of the Government secured freight capacity will be provided in late November.

Annex A: Suggested contacts

A.1 Queries relation to the interpretation of Category 1 or process

Any queries relating to Category 1 goods should be directed towards the relevant Government department. Contact details for each relevant department are provided below.

Sector (Sponsor Department)	Designated contact route
Energy Supply (BEIS)	freight.capacity@beis.gov.uk
Medicines(DHSC)	medicinescontingencyplanning@dhsc.gov.uk
Clinical Trials (DHSC)	ctcontingencyplanning@dhsc.gov.uk
Vaccines and Countermeasures (DHSC)	Immunisation-MB@dhsc.gov.uk
Blood and Transplants (DHSC)	transplants@dhsc.gov.uk
Medical Supplies & Clinical Consumables(DHSC)	mdcc-contingencyplanning@dhsc.gov.uk
Veterinary Medicines (Defra)	vetmedtrade@vmd.gov.uk

Table 1 Contact details for Government Departments.

A.2 Whistle-blowing - reporting fraud, bribery and corruption

The Government will not accept any level of fraud or corruption. Any case of suspected or identified fraud or mis-use will be investigated thoroughly and dealt with firmly and appropriately. Government will be undertaking random checks to ensure compliance with the terms and conditions of use for GSFC.

If you suspect or identify any fraud, mis-use, corruption or bribery within GSFC please contact Counter-FraudBribery@dft.gov.uk or contact the Government Internal Audit Agency hotline number 07827 843953 quoting Government secured freight capacity/ GSFC in confidence.

Annex B: Code of Conduct for Suppliers

As a supplier of Category 1 goods using Government secured freight capacity you commit to:

- B.1 Continuing to work with your sponsor department to maintain the continuity of supply of Category 1 goods into and out of the UK.
- B.2 Instructing your hauliers to use the capacity purchased only for the transportation of Category 1 goods.
- B.3 Preventing inappropriate, illegitimate and illegal use of Government secured freight capacity.
- B.4 Contribute as necessary to ensure appropriate preparations for all aspects of border readiness and border crossing for your goods, including but not limited to
 - Permits;
 - Carnets;
 - Declarations; and
 - Other notices of carriage condition, where required
- B.5 Utilise the Government secured freight capacity, through your hauliers, in good faith and only where there is a legitimate need to do so.
- B.6 Supporting practices and processes set up by Government to prevent fraudulent and misuse of Government secured freight capacity.
- B.7 Reporting any instances of fraudulent activity. If you witness or suspect any misuse of the Government secured freight capacity, you can escalate any concerns to your sponsor department. These concerns will be treated in confidence.
- B.8 Protecting information which is provided as part of registration, booking and utilisation of the Government secured freight capacity including but not limited to:
 - Any information provided as part of the registration or ticket booking processes, including your unique Supplier Access Code

- Direct communications in relation to Government secured freight capacity, with sponsor departments

By registering with your sponsor department, you understand that breach by you of any of the commitments above may result in appropriate action being taken against you, including but not limited to suspension or revocation of your access to Government secured freight capacity.

Annex C: Terms of use for Hauliers

As a Haulier of Category 1 goods using Government secured freight capacity you acknowledge and commit to:

Registration

- C.1 Abiding by the terms and conditions of the Direct Agreement which you will sign as part of the registration process
- C.2 Complying with all other terms and conditions included in the freight operators' standard Terms and Conditions of Carriage when utilising Government secured freight capacity.

Utilisation and Operations

- C.3 Continuing to work with your Supplier(s) and their sponsor department(s) to maintain the continuity of supply of Category 1 goods into and out of the UK.
- C.4 Utilising Government secured freight capacity to only support the flow of Category 1 goods into the UK as instructed by Supplier(s)
- C.5 Utilising Government secured freight capacity, as instructed by Suppliers, in good faith and only where there is a legitimate need to do so.
- C.6 Carrying only Category 1 goods which are eligible for the Government secured freight capacity.
- C.7 Not carrying mixed loads of Category 1 and non-Category 1 goods.
- C.8 Working with Suppliers to maximise the utilisation of the Government secured freight capacity including the consolidation of Category 1 goods, potentially from multiple Suppliers, where possible.
- C.9 Not transferring or selling on tickets purchased for Government secured freight capacity to other Hauliers, Suppliers or entities.
- C.10 Ensuring appropriate preparations for all aspects of border readiness and border crossing for goods, including but not limited to:
 - Permits;
 - Carnets;
 - Declarations;
 - Other notices of carriage condition, where required
- C.11 Ensuring all documentation relating to the ticket booking process is in order before commencing journeys. There will be no exemptions from due process or expedited handling for HGVs containing Category 1 goods.

- C.12 Noting that no expedited handling or priority access to the entry or exit terminal, in the UK or the EU, will be provided for users of the Government secured freight capacity
- C.13 Recognising use of Government secured freight capacity and the transportation of Category 1 goods will still be subject to existing border checks and searches. Compliance with these checks remains mandatory
- C.14 Understanding compliance with the conditions of usage will be checked and that failure to comply may result removal from the approved Haulier list to access Government secured freight capacity

Fraud prevention

- C.15 Complying with any practices and processes set up by Government to prevent fraudulent and misuse of Government secured freight capacity.
- C.16 Preventing inappropriate, illegitimate and illegal use of Government secured freight capacity.
- C.17 Reporting any instances of fraudulent activity. If you witness or suspect any misuse of the Government secured freight capacity, you can escalate any concerns through the appropriate channels^{1[OBJ]}. These concerns will be treated in confidence.

Protection of information

- C.18 Protecting information which is provided as part of registration, booking and utilisation of Government secured freight capacity including but not limited to:
- Any information provided as part of the registration or ticket booking processes, including your Ticketing Access Code and the unique Supplier access codes provided to you
 - Direct communications in relation to Government secured freight capacity from the Department for Transport or relevant Sponsor departments

Continuing to monitor the information provided to Suppliers and Hauliers by the Department for Transport and Sponsor departments, including reviewing the Category 1 list for amendments.

1. ¹ Further information is available in Annex A of this document under 'Whistle-blowing - reporting fraud, bribery and corruption'.

Annex D: Glossary of Terms

D.1 Category 1 goods

Those goods that are considered critical to the preservation of human and animal welfare and/or national security in the UK and listed at <https://www.gov.uk/government/publications/critical-goods-for-Government-secured-freight-capacity>. The list of approved Category 1 goods may be amended by Government if considered necessary.

D.2 Direct Agreement

A legally binding agreement between Hauliers and the Department for Transport. Hauliers must sign the Direct Agreement to utilise Government secured freight capacity and to book tickets on ferries for the transportation of Category 1 goods.

D.3 ECMT permit

In addition to Community Authorisation and bilateral permits, haulier can get multilateral road haulage permits to cross into other countries by using the European Conference of Ministers of Transport (ECMT) multilateral permit scheme for journeys between its member countries.

D.4 Freight Operator

A company that uses ships to transport goods and people from one seaport to another using Roll-on Roll-off mechanics (see below). In this instance it specifically refers to those companies who have agreed to provide the Government secured freight capacity i.e. Brittany Ferries, P&O, Stena Line and DFDs Seaways.

D.5 Government secured freight capacity

This is the space on ships, the right to which Government has secured for the passage of Category 1 goods.

D.6 Refrigerated slots

This refers to specific freight capacity which is utilised for those goods that need to be kept at a specific temperature while in transit. These slots can access a plug-in point in order to power the refrigeration units within their trailer whilst in transit.

D.7 Roll-on/roll-off (Ro-Ro)

Refers to the freight that is driven onto the vessel at one end and driven off at the other without the need to load or unload the carrying vehicle.

- Accompanied Ro-Ro

This refers to a crossing where the driver, cab and trailer can all travel together on the same ferry.

- Unaccompanied Ro-Ro

This refers to a crossing where the HGV trailer is detached from the cab at the port of departure and only the HGV trailer is transported on the ferry crossing.

D.8 Short Straight

A term used to describe the shortest crossing linking the UK to continental Europe. Its usage within this document covers the routes between Dover, Folkestone, Calais, Dunkirk and Coquelles.

D.9 Sponsor department

The department in Government which has the policy responsibility for each relevant Category 1 good sector that utilises or produces these goods.

D.10 Supplier

In this context a supplier of Category 1 goods

D.11 Supplier Access Code

A unique code provided to supplier of Category 1 goods to enable them to purchase tickets for Government secured capacity (see above). It should only be shared with their haulier(s). A list of these codes will be made available to the freight operators.

D.12 Third-party logistics provider (3PL)

The company of other organisation responsible for arranging and carrying out the transportation of goods (specifically Category 1 in this instance) for import or export to the UK. This can be either an integrated element within the supplier organisation itself or a third-party provider/freight forwarder.

D.13 Hauliers

Hauliers is the term used to describe companies responsible for arranging and carrying out the transportation of Category 1 goods for import (or export where relevant) to the UK. This may be carried out as an integrated function within the Supplier company, or may be outsourced to a third-party logistics provider (3PL) or freight forwarder.

Annex E: Direct Agreement

Full text of Direct Agreement

THIS IS INCLUDED FOR REFERENCE ONLY - THE DIRECT AGREEMENT IS EXECUTED VIA THE ONLINE FORM

The Online Form is found here:

<https://docs.google.com/forms/d/e/1FAIpQLSfwfWzGlqiULbUfWN5Z74oJE5VwV6PXA14Jkze4BWRHj3qi9Q/viewform>

Department for Transport Direct Agreement for Use of Government-Secured Freight Capacity

This page is intended for use by logistics providers who have been asked by their customers to use Government-secured freight capacity for transport of their Category 1 goods.

The list of Category 1 goods can be found at the following webpage:

<https://www.gov.uk/government/publications/critical-goods-for-government-secured-freight-capacity>

This Direct Agreement will need to be agreed to by any company that requires access to booking systems to utilise Government-secured freight capacity. This capacity can only be used to transport Category 1 goods.

Once the Direct Agreement has been agreed to by you, we will send you a confirmation email with a Ticketing Access Code as well as details on how to register accounts and/or purchase tickets for Government-secured freight capacity.

Email Address

(For Compatibility reasons please open in Google Chrome for the best user experience)

Direct Agreement

Priority Ticketing – Direct Agreement

To: The Secretary of State for Transport of Great Minster House, 33 Horseferry Road, London SW1P 4DR (the “Secretary of State”).

Subject to your agreement to the terms and conditions set out below, you, and any companies within your group that you list in Annex 2 (each such company, a “Group Company”), are entitled to apply to the freight operators listed in Annex 1 (the “Freight Operators”) for tickets for carriage on the routes notified to you (the “Routes”) by the Secretary of State from time to time, utilising the Government-Secured Freight Capacity on those Routes (the “GSFC”).

“Category 1 Goods” refers to the items described on the webpage which can be found at <https://www.gov.uk/government/publications/critical-goods-for-government-secured-freight-capacity> (the “Category 1 Goods Webpage”) (as the same may be modified and/or replaced from time to time by the Government).

1. Acknowledgments

You agree and acknowledge to the Secretary of State that in respect of the GSFC:

(i) any shipment made by, or pursuant to a booking made by, you will be subject to and on the relevant Freight Operator’s terms and conditions of carriage;

(ii) a contract will only arise if the relevant Freight Operator acknowledges receipt of a booking request and confirms directly to you that a contract has been concluded by it with you;

(iii) in respect of any contract you enter into with a Freight Operator, you will be the ticket purchaser (however this is defined in the relevant Freight Operator’s terms and conditions of carriage, for example as the: “Shipper”; “Merchant”; “Owner”; or “Customer”) and the relevant Freight Operator shall be the carrier (however this is defined in the relevant Freight Operator’s terms and conditions of carriage, for example as the “Carrier”; “Sea Carrier”; or “the Company”), in each case for the purposes of the relevant Freight Operator’s terms and conditions of carriage; and

(iv) in relation to any proposed or actual shipment made by you:

(A) you have no recourse whatsoever, whether in contract, tort, negligence, breach of statutory duty or otherwise to the Secretary of State or any other governmental department; and

(B) your only recourse is to the relevant Freight Operator pursuant to that Freight Operator’s terms and conditions of carriage.

2. Confirmations and Undertakings

(a) You certify to the Secretary of State that the cargo specified in any booking you make in respect of GSFC will only be for Category 1 Goods listed on the Category 1 Goods Webpage.

(b) You undertake to the Secretary of State in respect of the GSFC:

(i) that you will review the Category 1 Goods Webpage before making or amending any booking for a ticket in order to check whether the cargo which will be loaded, on the vessel, train or aircraft ("Vehicle") for carriage is Category 1 Goods;

(ii) that, in each case, the cargo which will be loaded on the Vehicle for carriage will only be Category 1 Goods listed on the Category 1 Goods Webpage at the time of the relevant booking or amendment to that booking;

(iii) that you will pay to the relevant Freight Operator the amount payable for each booking for a ticket in accordance with the relevant Freight Operator's terms and conditions of carriage and sale;

(iv) that each haulier who will carry cargo booked by you will have all of the documentation, licences, authorisations, approvals, consents or permits required in relation to the carriage and transportation of that cargo upon arrival at the port of embarkation (this includes, but is not limited to, customs declarations, dangerous goods declarations or ECMT permit, if required); and

(v) that you will ensure that the Government approved supplier whose goods are to be carried by you is made aware of the terms in paragraph 1 above and the undertakings contained in this paragraph 2.

(c) You:

(i) shall provide to the Secretary of State or any other governmental department any information they may reasonably request for the purpose of verifying your compliance with this agreement. If the supplier does not authorise you, or is not able, to share any such information, you will not be required to do so but will notify the Secretary of State that this is the case and provide evidence of this; and

(ii) agree that the Secretary of State may share any information it receives pursuant to paragraph (c)(i) above with other governmental departments.

(d) You agree that any breach of this agreement or misrepresentation made by you or on your behalf in connection with a booking utilising GSFC may give rise to serious consequences including, without limitation:

(i) your access to the GSFC may be withdrawn;

(ii) you may become liable for damages to the relevant Freight Operator and/or the Secretary of State;

(iii) other contracts made by you in respect of GSFC with any of the Freight Operators which remain to be performed may be cancelled; and

(iv) if fraud, or fraudulent intent, can be proved, you and/or your responsible officers may be prosecuted and convicted of the offence of fraud by false representation.

3. Group Companies

To the extent you list any Group Companies in Annex 2, you:

(i) agree that the acknowledgements, confirmations and undertakings set out in paragraphs 1 and 2 above are also given on behalf of each Group Company as if each reference to “you” or “your” in paragraphs 1 and 2 above is a reference to that Group Company;

(ii) undertake to the Secretary of State that you will ensure that each Group Company:

(A) is made aware of the terms set out in paragraphs 1 and 2 above; and

(B) complies with the undertakings contained in paragraph 2 above; and

(iii) shall indemnify the Secretary of State against all liabilities, charges, costs and expenses which the Secretary of State might incur as a result of, or in connection with, any breach by you or a Group Company of the undertakings contained in paragraphs 2, 3(i) or 3 (ii) above.

4. Entire Agreement

(a) This agreement constitutes the whole and only agreement between you and the Secretary of State relating to the subject matter of this agreement.

(b) You acknowledge that, in entering into this agreement on the terms set out in this agreement, you are not relying upon any representation, warranty, promise or assurance made or given by any other person, whether or not in writing, at any time prior to the execution of this agreement which is not expressly set out or referred to herein.

5. Third Party Rights

You acknowledge and agree that the Freight Operators shall have the benefit of and be able to enforce and rely on the terms of paragraphs 2(d)(ii) and (iii) (Confirmations and Undertakings) under and pursuant to the Contract (Rights of Third Parties) Act 1999.

6. Governing Law and Jurisdiction

This agreement and any non-contractual obligations arising out of, or in connection with, it shall be governed by and construed in accordance with English law and you submit to the exclusive jurisdiction of the English courts to settle any dispute (whether contractual or otherwise) arising out of or in connection with it.

Note: this agreement only needs to be agreed to by you once after which this agreement will apply to all dealings in respect of GSFC by you and any Group Company specified by you.

Acknowledged and agreed to by you (being the company listed below) and on behalf of each Group Company specified in Annex 2 (if any), by

Name of person (with authority to enter into this agreement on behalf of the company):

Position:

Company Name (please include the full legal name of the entity):

Please note that by submitting this form you (being the company listed above) agree to, and will be bound by, the terms and conditions set out in this Direct Agreement.

**Annex 1
List of Freight Operators**

Freight Operators
Air Charter Service Limited
Bretagne Angleterre Irlande SA
DFDS A/S
Irish Ferries Limited
P&O Ferries Division Holdings Limited
Seatruck Ferries Ltd
Stena Line Limited
The Channel Tunnel Group Limited

This list sets out the freight operators that the Secretary of State may potentially enter into contracts with. Capacity will only be made available from the Freight Operators that the Secretary of State enters into contracts with for capacity on specific routes.

**Annex 2
Group Companies**

If you are agreeing to this agreement on behalf of any Group Companies, you must list each Group Company in this Annex 2 otherwise they will not have access to the GSFC.

List of Group Companies

Other Details

Are you a UK registered haulier that moves Category 1 goods from countries which are not part of the EU/EEA, such as Switzerland?

Please note, this question is for information purposes only – it will not affect the outcome of your registration.

Please provide here the name(s) and the code of the Government approved supplier(s) you would use this capacity for/Supplier Access Code?

Confidentiality and Data Protection (GDPR statement)

The Department for Transport (DfT) is asking for your company name and email address in order to provide you with the Ticketing Access Code that you will require in order to book tickets to use the Government-secured freight capacity.

Whilst it is not our intention to identify individuals, any information you do provide that allows us to identify an individual will only be kept by DfT for the purpose of delivering the Ticketing Access Code. Any relevant information, concerning the process will be shared with your sponsor Government Department to enable verification for this process. Your company name and confirmation of agreeing to this Direct Agreement will be shared with the freight operators to enable verification of your use of Government-secured freight capacity.

Your information will be kept securely within DfT and destroyed after the completion of this exercise.

DfT's privacy policy has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer.

You can view it at <https://www.gov.uk/government/organisations/department-for-transport/about/personal-information-charter>.

Acknowledged and agreed to by you (being the company listed below) and on behalf of each Group Company specified in Annex 2 (if any), by

Name of person (with authority to on enter into this agreement on behalf of the company):

Position:

Company Name (please include the full legal name of the entity):

Please note that by submitting this form you (being the company listed above and the individual agreeing to this on behalf of that company) agree to, and will be bound by, the terms and conditions set out in this GDPR Statement.