



Opportunity Malaysia 2005 Conditions of Participation

A. DEC Trade Mission Program Defined

Overseas event planned, organized and led by the District Export Council which brings groups of U.S. business persons representing new-to-export or new-to-market firms into contact with agents, distributors, licensees, franchises or joint-venture partners for the purpose of establishing representation in the countries visited.

B. Criteria

Firms that participate in a Trade Delegation must use the visit to promote only products and services, which, in the judgement of the DEC, in cooperation with its partners, meet one of the following criteria:

1. Manufactured or produced in the United States
2. If manufactured or produced outside of the United States, the product must be marketed under the name of a U.S. firm and have U.S. content representing at least 51 percent of the value of the finished good or service.

The Delegation will be composed of decision-making executives from each of a limited number of companies. Each representative must be a director or senior officer of the participating company with the authority to negotiate representation agreements.

C. Within limits of available resources, the Florida District Export Council and its partners agree to:

1. Select a product or service category and an overseas itinerary, which offer potential for, export development. Selection will be based upon market research and consultation with the Foreign Commercial Service post in Malaysia and with key trade associations and companies in the industry to be promoted.
2. Provide each Delegation member with available market research relevant to the products and services to be promoted for all countries that will be visited.
3. Conduct a general briefing for members prior to departure from the United States regarding commercial and economic conditions in Malaysia. An in-depth briefing by U.S. Commercial Officers at Foreign Service posts will be conducted upon arrival in Malaysia.
4. Arrange a schedule of business appointments with key distributor or agent candidates for the goods or services of participants.
5. Provide information for distribution overseas describing the participants, their companies, goods or services and, where appropriate, their marketing objectives. Where necessary, this material will be in the language of the country visited.

6. Provide a headquarters in each foreign location, as necessary, where individual business appointments can be scheduled and other Delegation business transacted.

7. Host official receptions and/or other hospitality events, where appropriate, at or in conjunction with the Foreign Commercial Service posts to provide members with the opportunity to meet key local government officials and business leaders.

8. Provide transportation schedules for members to book appropriate flights.

9. Obtain confirmed hotel reservations for members in advance of each stop.

10. Provide clerical staff and interpreters as needed to assist members. The post's commercial staff will provide administrative and logistical support as needed or arrange for outside logistical support.

11. Provide a U.S. Government official, elected official or appropriate private sector representative having extensive knowledge of the Delegation theme to serve as Director of the Trade Delegation.

12. Provide a qualified Mission Coordinator to coordinate logistics and administration.

D. The Participant Agrees to:

1. Make a financial contribution to the Florida District Export Council in an amount to be established for the event for use in funding all services provided to the participant, including market development, operating and hospitality costs of the Delegation, and other international trade promotion activities. A signed Participation Agreement is to be submitted with the contribution.

2. Furnish detailed descriptive company and product/service information sufficiently in advance of the visit to allow for compilation and/or printing, and advance distribution.

3. Obtain information from the U.S. Department of Commerce's Office of Export Administration, and/or from other licensing agencies, e.g., Nuclear Regulatory Commission, Department of Energy, Office of Munitions Controls, U.S. Department of State, as to whether existing laws or regulations might impede or prevent the participant from marketing its products or services or releasing U.S. origin technical data in any of the countries to be visited by the Delegation. If problems arise in obtaining this information, the Florida DEC will arrange for U.S. Department of Commerce assistance or facilitation as may be necessary and appropriate.

4. Promote its individual business interests, e.g., licensing agreements, or agent/distributor arrangements and other sales arrangements as may be appropriate.

5. Participate in scheduled briefings facilitated by the Florida DEC and other state and federal agencies including the Foreign Service post.

6. Attend all business appointments, which have been arranged and adhere to the program and its complete itinerary.

7. Contribute information for the Delegation report and provide the results achieved on the Opportunity Malaysia 2005 Mission Member Report Form. If the participant requests particular information to be treated confidentially, the Florida DEC will honor the request to the extent possible under applicable law.

8. Travel between the United States and abroad on most competitive airline package negotiated.

9. Pay representative's travel, hotel, and daily living expenses.

10. Obtain entry permit visas and/or other travel documentation prior to departure from the United States.

11. Participants' representatives travel at their own risk. It is recommended that they be covered by adequate insurance. The company, on behalf of itself and any of its officers, employees or agents, agrees that the Florida DEC and its partner organizations are not liable for any illness, injury, loss of life, damage, or loss of property occasioned by or connected with participation in the Delegation.

12. The participant agrees to send, at its expense, a qualified company executive who will participate in all Delegation activities. The person shall be authorized to discuss product lines or services, to give price quotations on various bases, as appropriate, and to negotiate sales and related arrangements. The representative should be designated at the earliest possible date and his/her name furnished to the Florida DEC. The representative must carry a valid passport and be a director or senior officer of the participating U.S. company (the participant).

E. Other Conditions:

1. If, for any reason, the participating company cancels its participation, its financial contribution will not be refunded unless written notice of cancellation is received by the Florida DEC at least 45 days before the departure of the Delegation, unless a replacement is found.

2. The Florida DEC may cancel the Trade Mission or the participation of any company for the convenience of the Florida DEC or its partner organizations. In the event of such a cancellation, any contribution made will be refunded.

3. It is understood that all applications for participation in the Delegation are subject to approval by the Florida DEC and acceptance will be based on a first come, first served basis.