

The following definitions shall apply:

End of installation:

Proper and, in particular, complete completion of the contractually agreed installation work.

Commissioning (in short "IBN"):

Commissioning shall be deemed to have been positively completed by the Contractor if both the cold test and the hot test have been properly completed in accordance with the contractually agreed provisions. The positively completed IBN also formally signifies the end of commissioning.

- Cold test:

Unless otherwise agreed, the cold test shall be deemed to have been successfully completed when the entire scope of supply and services (= the respective overall system including all its components and essential system parts) without operating media in individual as well as fully integrated interlocking operation with all functionalities etc. has been successfully tested, all systems, system parts as well as actuating and protective devices etc. have been positively checked for proper functioning and the nominal/set point values have been completely set accordingly. Furthermore, all control circuits must have been preset to function as specified and positively checked.

- Meaning test:

Unless otherwise agreed, the hot test shall be deemed to have been successfully completed following the cold test if the entire scope of supply and services (= the respective overall system including all its components and essential system parts) with all operating media (esp. incl. production material or input material) has been successfully started up under the agreed operating parameters with all contractually specified functionalities over the contractually defined period of time.

Positive completion of trial operation:

After the end of commissioning - Successful operation of the entire scope of supply and services (= respective overall plant including all its components and essential plant parts) with all operating media (esp. incl. production material or input material)

in full and unrestricted continuous industrial operation by the Customer

under the agreed operating parameters over the contractually defined period with all contractually specified functionalities.

Positive completion of the performance test:

Successful operation of the entire scope of supply and services (= respective entire plant including all its components and essential plant parts) with all operating media (esp. incl. production material or input material) in full and unrestricted industrial continuous operation of the Customer under the agreed operating parameters over the contractually defined period of time with all contractually specified functionalities and

achievement of all contractually agreed performance values and specifications

(e.g. production of defect-free and saleable material, etc.).

Final acceptance:

As agreed individually (in particular in any negotiation protocol). Unconditional final acceptance within the meaning of the contractual agreements has the same effects as final acceptance. The unconditional final acceptance in the sense of the contractual agreements has the same effects as an unconditional acceptance (in particular, however, the handover and acceptance of the scope of delivery and performance within the framework of the contractual agreements).

Acceptance:

Unless a special final acceptance has been contractually agreed or expressly agreed otherwise in individual cases, acceptance shall be deemed to be the unconditional acceptance of the entire scope of delivery and performance by the Customer.