

AFFILIATE NEXUS INFORMATION

Companies, organizations and individuals (Affiliates) doing in business in your state or in other states where you have nexus can create sales tax nexus (an obligation to collect sales tax) for out of state retailers if the Affiliates directly or indirectly refer potential purchasers to the out of state retailer, whether by an Internet-based link or an Internet website, and are compensated by commission or other payment related to the sales from the referral. More simply put, if an out of state retailer hires your company (even through an agent) to put a link on your website to its website, and agrees that you will be paid a commission, that out of state retailer may then have to collect sales tax from residents of your state.

However, an out of state retailer can overcome that obligation if:

1. The agreement prohibits you from engaging in solicitation activities that refers potential customers to the out of state retailer. Solicitation can include distributing flyers, coupons, newsletters and other printed promotional materials or electronic equivalents, verbal soliciting (for example, in-person referrals), initiating telephone calls, and sending emails., and
2. You certify annually that you have not engaged in any prohibited solicitation activities for that retailer at any time during the prior year.

For organizations, such as a club or non-profit group, in addition to the above requirements, 1) the agreement must state that the organization will display information on its website telling its members about the solicitation prohibition, and 2) the certification from the organization includes a statement certifying that its website includes information directed to its members alerting them to the prohibition against solicitation.

AGREEMENT AND ANNUAL CERTIFICATION OF NO SOLICITATION
(to be completed by your company, entity, organization or contracting individual)

The company, entity, organization or individual named below (the “Affiliate”) agrees with Bradford Exchange Checks, Ltd. (“BEC”) that the Affiliate will not engage in prohibited solicitation activities on behalf of BEC or its related companies or other activities to make a market for BEC. The prohibited solicitation activities include, but are not limited to, distributing flyers, coupons, newsletters, and other printed promotional materials or electronic equivalents (through any websites or otherwise), verbal soliciting (for example, in-person referrals), initiating telephone calls, and sending emails. For purposes of this document prohibited solicitation activities do not include placing a link on the Affiliate’s website to BEC’s or BEC’s related companies’ websites.

I HEREBY CERTIFY, UNDER PENALTY OF PERJURY:

1. The Affiliate named below has not engaged in prohibited solicitation activities that refers potential customers to BEC or its affiliates at any time during the previous year.

2. The Affiliate has no offices, employees, property or other nexus in the following states: Connecticut, Louisiana or Pennsylvania.

3. If the Affiliate is an organization, such as a club or non-profit group, the website of the Affiliate includes information that alerts its members that anyone operating under the organization’s agreement with BEC is prohibited from engaging in any solicitation activities that refers potential customers to BEC, including, but not limited to, distributing flyers, coupons, newsletters, and other printed promotional materials or electronic equivalents, verbal soliciting (for example, in-person referrals), initiating telephone calls, and sending emails.

Legal Name of Affiliate

Address of Affiliate

Signature

Address of Person Signing

Printed Name of Person Signing

Affiliate Website

Title

Email address

Telephone Number

Date