

## INT GROUP A

### Standard form Letter of Indemnity to be given in return for delivering cargo without production of the original Bill of Lading

#### **Information to the Member**

*The basic rule for delivery under a B/L is that it should be made to the first party who turns up at the port of destination in possession of and presenting an original B/L. Sometimes the cargo arrives at the port before documents and the carrier is requested to release the cargo instantly in return of a Letter of Indemnity (Back-Letter). Due to the risk involved, the Club's advice is to resist such requests. If the situation cannot be avoided, the standard form below, recommended by the International Group, should be used.*

#### **N.B.**

*Liability arising from delivery of cargo without production of the original Bs/L is not covered by the P&I insurance.*

- *In many jurisdictions, the carrier has no means to sue the shipper under a back-letter following the principle that a claim based on a fraudulent document is unenforceable.*
- *It is advisable to have the back-letter countersigned by a first class bank, for that purpose use form INT GROUP AA.*



4. If the place at which we have asked you to make delivery is a bulk liquid or gas terminal or facility, or another ship, lighter or barge, then delivery to such terminal, facility, ship, lighter or barge shall be deemed to be delivery to the party to whom we have requested you to make such delivery.
5. As soon as all original bills of lading for the above cargo shall have come into our possession, to deliver the same to you, or otherwise to cause all original bills of lading to be delivered to you, whereupon our liability hereunder shall cease.
6. The liability of each and every person under this indemnity shall be joint and several and shall not be conditional upon your proceeding first against any person, whether or not such person is party to or liable under this indemnity.
7. This indemnity shall be governed by and construed in accordance with English law and each and every person liable under this indemnity shall at your request submit to the jurisdiction of the High Court of Justice of England.

Yours faithfully,  
For and on behalf of  
*[insert name of Requestor]*  
The Requestor

.....  
Signature