

## CHAPTER 9

### AGENTS

#### 9.1 HANDLING AND CLEARANCE OF VESSELS

ARRIVAL/SAILING TELEX/EMAIL MESSAGES. The following instructions are to be observed which is imperative for the operation of the vessels.

TO THE HEAD OFFICE

- a) ON VESSEL'S ARRIVAL. Vessel's name, voyage number, date and time of arrival, draft, bunkers (FO/MDO) and Fresh Water on arrival, date and time loading expected to commence (commenced) with number of gangs and ETS.
- b) DAILY REPORT. Agents are requested to telex daily tonnage loaded/discharged on the day, number of gangs, time commenced, or employed, stoppages and reasons, total hatchwise tonnage loaded/discharged with updated ETS, and confirmation of working schedule for that/next day and average output per gang/shift.
- c) ON VESSEL'S SAILING. Vessel's name, date and time of completion, date and time of departure, total quantities loaded, hatchwise stowage (each port of destination stated separately), free space in each hold, draft, bunkers and Fresh Water, ETA next port.

These details to be transmitted by telex/email immediately on arrival, during port stay and sailing vessel.

#### TO AGENTS AT NEXT PORT OF CALL (WITH COPY TO HEAD OFFICE)

Telex/cable/email next port of call indicating vessel's name, date, time of departure, draft on departure, ETA, free space available in each hold and hatch to be worked next port/number of gangs workable.

#### 9.2 STOWAGE

At ports preliminary loading instructions will be given directly from the Head Office.

Instructions must be followed clearly. In case of any change to bookings and stowage problems, which arise, notice is to be given to Head Office immediately over telex/email or telephone.

Dangerous cargo and chemicals loaded are to be reported by the Agents at port of loading to Agents at the next port(s) of call at least 24 hours before vessel's arrival.

The charterers Agents at port of loading are responsible to ensure that all dangerous goods loaded are marked with the respective labels in accordance with IMO regulations. Should the vessel be fined for having dangerous cargo without these

labels on board, whether still at port of loading or elsewhere following the loading port, the Charterers Agents at port of loading will be liable for all expenses and consequences.

### **9.3 HARBOUR REPORT**

Two copies of the "Harbour Report" are to be sent to the Head Office as soon as possible after vessel's departure. This report should reflect the vessel's arrival/departure conditions and vessel's daily performance in loading/discharging.

### **9.4 LOADING LIST**

The Loading list with full details of cargo, Mt/Cbm commodity, packing, number of packages, size if unusual, discharge port, to be airmailed/telexed/emailed to first loading port in time for Master's receipt on arrival. A telex/email containing any changes or additions (supplementary book list) to be sent to the first loading port on the day prior to vessel's arrival. A copy of loading list and supplementary loading list to be sent to Head Office.

The loading schedule of vessels will be regularly advised by telex/email. Dangerous cargo according to regulation of SFO/IMO is, as per custom of the port, to be mentioned on a special list as addendum to the loading list, indicating full particulars (nature of goods, stowage, etc).

### **9.5 DANGEROUS CARGO**

Before booking, all dangerous goods have to be reported to Head Office stating full characteristics (nature of goods, flashpoint, per stowage) as well as classification and may be accepted only after confirmation by the Head Office.

### **9.6 NOTICE OF READINESS**

For cargo loaded/discharged basis FILO/FIOS following procedure should be adopted:

Agents to arrange for Notice of Readiness given by Master to be submitted to shippers/consignees for their perusal immediately.

Head Office to be telexed/emailed-informed about any disputes arising out of tender of Notice of Readiness.

### **9.7 STATEMENT OF FACTS**

Statement of facts required for FIOS and FILO parcels to be accompanied by Notice of Readiness and Time Sheet.

## 9.8 SPECIAL INSTRUCTIONS

### (i) DISCHARGING PORTS

- a) If something special happens (affecting loading/discharging of vessel) this to be reported immediately by telex/email or cable, as well as any changes in waiting time, if any.
- b) Following discharge, Agents should assist Master in obtaining a declaration from the Port Authority to the following effect:

"To Whom It May Concern

This is to certify that the whole cargo on board in vessel MV..... was discharged at this port between .....(dates of discharge) according to the vessel's Manifest without damage or shortages."

### (ii) LOADING PORTS

Agents to report in full to Head Office, alternatively direct to discharging port agents, any anticipated problems or helpful suggestions in regard to discharging/difficult stowage etc.

## 9. 9 CARGO DOCUMENTATION (LOADING PORTS)

(i) Freight Manifests to include the following where applicable, besides useful information:

- a. Rate of freight
- b. Gross freight prepaid/collect destination or elsewhere.
- c. Surcharges
- d. Forwarding Agency Commission (FAC).
- e. B/S disbursements, fees.
- f. Measurement and weight of each bill of lading (unless otherwise specified by Head Office)

(ii) Manifest recaps to state Mtons/Cbm/Freight tons/gross freight prepaid/ gross freight collect/agency commission/DAC for each discharge port and grand total for all ports.

(iii) Separate Manifest should be prepared for following shipments:

- a. Through cargo (e.g. Scandinavia.)
- b. Shipment of mail and parcel post.

- c. Transshipment cargo at Owner's expenses (i.e. Shipment under line's through B/L)

Note: Before booking such consignments Head Office's approval to be obtained

### **9.10 IRREGULAR SHIPMENTS**

If not loaded at the port where manifested, the loading port is to be indicated in the Manifest.

The same applies to place of freight settlement, if not payable at destination.

### **9.11 FREIGHT/DISBURSEMENT INFORMATION AND FREIGHT COLLECTION**

Total cargo bookings in Mt/Cbm and estimated total freight earnings with pro-forma disbursement should be telexed/emailed to Head Office 5 (five) days before vessel's arrival. Discharge ports should advise pro-forma disbursement in respect of discharging.

Total freight collection with port disbursement details should be telexed/emailed to Head Office within three days after vessel's sailing from load port. All amounts should be converted into US Dollars and current exchange rate clearly indicated. The following information should be included in telex/email message:

Total tonnage in MT/CMB for each discharge port.

Gross freight prepaid less agency commission, FAC, etc. Agency Commission should be based on basic freight.

Port charges with breakdown.

Cargo/stevedoring expenses.

Vessels' other expenses, such as cash to Master, repairs, crew medical etc..

Balance funds in favour of owners/agents.

This should be followed by freight statement/statistics telex/email with following details within five days of vessel's sailing. This telex/email should include gross freight of cargo.

Booked by you and loaded in your port.

Booked by you but loaded from other port naming actual load port.

To collect at destination, if any.

Booked by others but loaded at your port.

Gross freight collected less disbursements should be transferred to respective vessel's accounts in Head Office within 14 days of vessel's sailing. Freight must be collected in US Dollars as per agreed exchange rates. When remitting Agents must advise breakdown on telex/email.

## **9.12 DISBURSEMENT AND STATEMENT OF ACCOUNT**

OWNER'S EXPENSES. Expenses on behalf of owners can only be accepted after being approved by Head Office. Head Office is not responsible for any owner's expenses advanced by Agents, unless they have obtained such telex/email approval.

Request for owner's expenses has to be specified as follows, giving each item with the currency and amount involved.

Cash to Master

Stores

Lubricating Oil, etc.

Fresh Water

Provisions

Crew Expenses

Repairs

DISBURSEMENTS. Disbursements accounts with original supporting vouchers should be sent in duplicate to Head Office latest 4 weeks after vessel's departure.

## **9.13 PROCEDURE FOR TIME CHARTERED VESSELS**

### *ON – HIRE / DELIVERY*

From time to time tonnage may be time chartered for specific requirements or to supplement own vessels. In this regard the following instructions pertain to time chartered vessels only:

Head Office or Agents to appoint sworn surveyor in compliance with delivery terms and survey clause as per charter party as well as other details as may be instructed by Head Office. C/P details and other instructions, if any, are to be given in full to the surveying party.

Special attention to be given to bunkers on delivery in cases where such delivery takes place prior to arrival at first load port.

The surveyor to include in his report both his calculations at C/P consumption of what bunkers on delivery should have been, and confirmation from ship's log of these

figures. In case of over-consumption, copies of log abstract of engine and deck to be included in on-hire survey.

Special attention to be paid at TIME OF DELIVERY AND DURATION OF ON-HIRE SURVEY as per C/P. On-hire survey to be accompanied by

- a) General condition survey
- b) Cleanliness of holds (as per C/P)
- c) List of dunnage/lashing materials as may be on board.
- d) Delivery certificate signed by owner's representative (agents for owners) Master, etc.
- e) Surveyor to confirm all pertinent gear and safety certificates, etc. valid for expected period of charter.

Delivery certificate, on-hire survey report and accompanying documents to be sent in triplicate to Head Office.

#### *REDELIVERY/ OFF-HIRE*

In the case of time chartered vessels, Head Office shall pass to Agents at port of redelivery both the time charter party and a copy of the on-hire survey. These documents as well as any special instructions received from Head Office are to be passed to surveyor.

Head Office or Agents to appoint sworn surveyor as per charter party requirements.

Special attention to be paid regarding time of redelivery and duration of off-hire survey. Master to take inventory of dunnage and/or lashing materials that may have been purchased during the course of the charter party by head Office. These items to be sold at competitive prices, alternatively to be taken ashore for future vessels. In all cases special instructions will be issued from Head Office.

Careful planning to be done in regard to cleaning required by terms of charter party at time of redelivery, wherever applicable cleaning should commence with individual holds as discharge completes.

Wherever arrangements are made (with prior authority from Head Office) with the Master please ensure this is obtained in writing, a copy of which should be included in the report.

Off-hire survey to be accompanied by :

- a) Re-delivery certificate.
- b) General condition survey.

c) Tank soundings.

All documents are to be signed by Master and/or Owner's agents. Off-hire survey and accompanying documents to be sent in triplicate to Head Office.

#### 9.14 BILL OF LADING CONDITIONS

DECK CARGO. Bills of lading in respect of deck cargo should be endorsed "CARRIED ON DECK AT SHIPPER'S RISK" and same wording should be inserted in manifest and other cargo documents. When a consignment is booked with underdeck stowage but has to be stowed on deck due to want of space or any other reason, this should be reported to Head Office to arrange necessary insurance cover. Following information should be telexed/emailed immediately after vessel's sailing from the load port. Port of discharge, B/L N<sup>o</sup>., Commodity, Type of packing, Weight, Value as well as exceptions to cargo, if any.

SHIPMENT OF MOTOR VEHICLES. All B/Ls covering motor vehicle shipments should be claused as follows :

The short-shipped goods may be shipped on next sailing and an inter-office B/L should be issued on following basis to ensure correct delivery of cargo :

Shipper: Agent at Port of Loading

Consignee: Agent at Port of Discharging

Notify: Consignees as per original B/L out of which cargo was short.

Marks and numbers and weight as declared by actual shipper. This B/L is to be claused :

Shortshipped ex B/L N<sup>o</sup>. .....

M.V. .... Voy. N<sup>o</sup>. .....

Delivery of the cargo to consignees only against

Presentation of original B/L N<sup>o</sup> .....

M.V. ....dated .....

And payment of freight (if payable at destination)

Separate cargo and freight manifest should be issued in respect of above shipments. If the total freight is collected against the original shipment, the freight manifest has to show:

"Freight already charged on original shipment"

B/L N° .....M.V. ....

Voy. N° .....dated .....at.....

In case the freight has not been charged with first shipment, complete details of freight calculation has to be inserted in B/L and manifest.

### **9.15 REFRIGERATED CARGO**

ATTENTION IS DRAWN TO OUR P & I CLUB WHICH STATE IN THE CASE OF PERISHABLE CARGO:

The spaces, apparatus and means used for the safe custody (of the cargo) must be certified by Lloyds Register or any other Class Surveyor before commencement of each voyage.

The cargo and its stowage must be inspected and approved before and during loading by surveyor approved by the Club's local representative.

### **9.16 STEVEDORING DAMAGES**

During loading and discharging of vessels any damage caused either to vessel or to cargo should be reported to the claims department at Head Office. Agents should assist the Master in obtaining written acceptance to party responsible (stevedores etc.) for damages as soon as possible.

A detailed report should be sent along with all relevant documents including statements from crew witnesses.

Where the damage is substantial a survey report should be obtained from Lloyds or equivalent organisation.

### **9.17 CARGO CLAIMS**

The following documents should be forwarded in respect of cargo claims to head Office.

- a) Original bill of lading
- b) Shipper's invoice with FOB, CIF value of merchandise.
- c) Extract from Port's outturn report.
- d) Survey of damage.
- e) Subrogation certificate (where appropriate).
- f) Any other documents received from claimants.



If the amount of the claim exceeds USD 1.700 a complete copy set of the claim documents should be sent to our P & I Club representative via our Head Office.

### **9.18 CARGO STORAGE/DEMURRAGE ON BARGES**

Agents are advised that under no circumstances will the Line permit extra costs for storage of cargo in warehouses and demurrage in barges.

It is the responsibility of the Agent to ensure that cargoes are not called forward in such a manner as to incur extra costs to the line.

In case vessels are delayed to lift such cargo shippers have the right to cancel their bookings.