



Ms. Amalie Butze
ICC Denmark
Boersen
1217 Copenhagen K
Denmark

6 July 2011

Subject: Document 470/TA.748

Dear Ms. Butze,

Thank you for your query regarding UCP 600. Please find below the opinion of the ICC Banking Commission Group of Experts and Officers.

QUOTE

We kindly ask for your official opinion to the following query related to a bill of lading presented under a documentary credit issued subject to UCP 600.

The bill of lading is issued/signed as follows:

The headline of the bill of lading reads: "Carrier: Hapag-Lloyd Aktiengesellschaft, Hamburg"

The bill of lading is signed as follows:

"Hapag-Lloyd Denmark,
Branch of Hapag-Lloyd AG, Germany
As Carrier"

We ask you kindly to advise if the bill of lading is signed in accordance with UCP 600 article 20 (a) (i).

ANALYSIS

A bill of lading to be presented under a documentary credit must be signed in accordance with UCP 600 sub-article 20 (a) (i):

"A bill of lading, however named, must appear to:

- i) indicate the name of the carrier and be signed by:
 - the carrier or a named agent for or on behalf of the carrier, or
 - the master or a named agent for or on behalf of the master.

Any signature by the carrier, master or agent must be identified as that of the carrier, master or agent.

Any signature by an agent must indicate whether the agent has signed for or on behalf of the carrier or for or on behalf of the master.”

“Hapag-Lloyd Denmark” is stated to be a branch of “Hapag-Lloyd AG, Germany” and, as such, does not act as an agent. The fact that it is a branch in a country different to the parent company is not relevant. The entity that is the carrier is Hapag Lloyd AG, Germany and any of its stated branches may issue bills of lading and sign as carrier.

The bill of lading fulfils the requirements of sub-article 20 (a) (i) by indicating:

- (a) the name of the carrier i.e., Hapag-Lloyd Aktiengesellschaft, Hamburg
- (b) that the signature is that of the carrier: “Hapag-Lloyd Denmark, Branch of Hapag-Lloyd AG, Germany As Carrier”.

CONCLUSION

The bill of lading is signed in accordance with sub-article 20 (a) (i).

The opinion(s) rendered on this query reflect the opinion of the ICC Banking Commission’s Group of Experts and Officers based on the facts under “QUOTE” above. They do not necessarily reflect the opinion of the ICC Banking Commission until the Banking Commission renders its approval or disapproval of these opinion(s) at the next scheduled meeting.

The reply given is not to be construed as being other than solely for the benefit of guidance and there should be no legal imputation associated with the reply offered. If this query relates to a matter currently under consideration by the courts, the ICC Banking Commission will refrain from considering it for adoption as an opinion.



Neither the ICC nor any of its employees, nor any member of the Banking Commission, including the Chairman, Vice-Chairmen, Technical Adviser or any of the Group of Experts shall be liable to any person for any loss or damage arising out of any act or omission in connection with the rendered opinion(s).

Yours sincerely,

A handwritten signature in black ink, which appears to read 'Thierry Senechal'.

Thierry Senechal
Senior Policy Manager
Banking Commission