**Letter of Indemnity and Instructions for release of cargo**

**Without presenting the original Bill of Landing in paper at our office**

**To**

**MSC Mediterranean Shipping Company S.A, 12/14 Chemin Rieu, 1208 Geneva, Switzerland**

**its agents, affiliates, insurers and the Owners of the *[ingresar el nombre de la n***

**all together referred hereunder as “MSC”**

Dear Sirs,

|  |  |
| --- | --- |
| Ship : | *[ingresar el nombre de la nave]* |
| Voyage : | *[ingresar el viaje]* |
| Cargo : | *[ingresar breve descripcion de la carga]* |
| Bill(s) of Lading : | *[ingresar numero de BL, fecha y lugar de emision]* |
| Container number(s) | *[ingresar numero de contenedor(es)]* |

The above-captioned cargo was shipped by *[ingresar nombre del shipper]* for delivery at the port of *[ingresar el Puerto de descarga indicado en el BL]*under an MSC Bill of lading.

We hereby allow you to submit a scanned copy of the original Bill of Lading of the reference that we have in our possession.

We certify under sworn declaration, the following:

- We have in our possession the original (number of originals on your possession)/3 BL of this shipment.

- That we have received these original documents, legitimately from the exporter of the merchandise that is manifested on this document.

We confirm being in possession of *[ingresar la cantidad de originals que el consignee tiene fisicamente en su poder]*original Bills of Lading and that theremaining*[ingresar la cantidad de originals que no estan en su poder, recordar que nuestro set de BL posee 3 originales]*originals are currently held by Messrs. *[ingresar nombre y direccion de la compañia que posee los originals restantes, ejemplo los datos del shipper si es que aplica en este caso],due now local customs accept to send MSC original documentation in digital channels (email, etc). We send the scan of the original but* we will remain kept in our offices for 5 years the original paper, until the time what the local customs can perform an audit process expires.

Despite the above circumstances, We, the Undersigned *[ingresar nombre del consignee indicado en el bl segun sea el caso]*hereby request you to instruct your agents at the place of destination to deliver the consignment to:

*[ingresar nombre y datos de contacto de consignee manifestado en bl]*

or to such party as you believe to be or to represent or to be acting on behalf of the aforementioned.

In consideration of your complying with our above request, we hereby agree to the following:

* Will instruct and ensure that any party holding the remaining original(s) do the same.
* Irrevocably commit to surrender or have surrendered to you at least one duly accomplished original page of the Bills of Lading as soon as practically feasible or in case is required by MSC or local customs.
* confirm that the party to whomwe ask you to deliver the cargo is the sole lawful Consignee/ holder of the title over such cargo or is acting as our/its duly authorised agent.
* formally and irrevocably acknowledge and accept without any reserve the Terms and Conditions of the MSC’s contract of carriage as found, notably, under <https://www.msc.com/che/contract-of-carriage>.
* formally and irrevocably confirm that accept to hold MSC free of any and all liabilities and that we will keep MSC harmless against any and all losses whatsoever and howsoever incurred that MSC may suffer as a consequence ofMSC complying with our present request.
* in the event of any proceedings being commenced against MSC in connection with your complying with our above request, to provide MSC on demand with enough funds to defend the same.
* hereby undertake, if in connection with  any failure by us to comply with our undertakings as aforesaid, the ship, or any other ship or property in the same or associated ownership, management or control, should be arrested or detained or should the arrest or detention thereof be threatened, or should there be any interference in the use or trading of the vessel (whether by virtue of a caveat being entered on the ships registry or otherwise howsoever), to provide on demand such bail or other security as may be required to prevent such arrest or detention or to secure the release of such ship or property or to remove such interference and to indemnify you in respect of any liability, loss, damage or expense caused by such arrest or detention or threatened arrest or detention or such interference, whether or not such arrest or detention or threatened arrest or detention or such interference may be justified
* Accept that these undertakings and indemnity shall be governed by and construed in accordance with English law (except for shipments to/from the USA where US law shall exclusively apply) and each and every person liable under this indemnity shall at your request submit to the jurisdiction of the High Court of Justice in England (except for shipments to/from the USA: District Court for the Southern District of New York).

Yours faithfully,

For and on behalf of

*[ingresar el nombre del consignatario manifestado en BL]*

Authorised signature………………………………………

Name:

Position:

Date:

*Stamp/seal*