

Akreditifli İşlemlerde Doğrudan Alıcıya Gönderilen Konşimentolar

Konu Başlıkları

- ICC Görüşü
- **Örnek Olay 1:** Alıcının malı çekip; ödemeyi yapmaması
- **Örnek Olay 2:** Cezayir ihracatında yaşadığım teyitli akreditif vaka açıklaması.



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Akreditif Danışmanlık ve
Eğitim Hizmetleri

0 232 344 0 973

Konşimento Orjinal Nüshalar

- Konşimentolar 3 orjinal / 3 kopya düzenlenir.
- 1 orjinal nüsha ile alıcının malları çekmesi mümkündür.



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[illegible]

Konşimento 1

[illegible]

Konşimento 2

BDP Transport Inc.

SHIPPER (Principal or Seller/consignee and address)

ROM MENSURER IN MARINE SANAYI TICARET AS
DEKANE CANAKLI
NO. 13 BULVAR CANAKLI
TEL : 90 212 888 50 82

BL Number

2101218771

DATE OF ISSUE

03/01/19

EXPORT REFERENCES

2101218771

CONSIGNEE (Non-Negotiable unless consigned to order)

TO ORDER OF NATIONAL BANK OF EGYPT TOWER BRANCH

FORMALING AGENT (Interferers)

BDP 2101218771

POINT AND Country OF ORIGIN

NOTIFY PARTY/INTERMEDIATE CONSIGNEE (Name and address)

EL MANSOURI STEEL CO
MADINET NASR EL DOKKI
CAIRO, EGYPT

TO OBTAIN CARGO, PLEASE CONTACT:

BDP INTERNATIONAL EGYPT
11 HANGAR PASSAGE STREET, EL AZARIYA
CAIRO, EGYPT
TEL 21 04840679
MOBEN.ELKOK@BDPNET.COM

ORIGINAL

EXPORT CARRIER (Name, voyage, & flag)

MEKRON ISTANBUL TES3518

PLACE OF RECEIPT

POINT OF LOADING

EVYAP SHIPMENT IN TURKEY

PORT OF DISCHARGE

ALEXANDRIA SEAPORT EGYPT

PLACE OF DELIVERY

BDP TRANSPO

DESCRIPTION OF PACKAGES & GOODS

Number of Containers: 1

Said to contain:

...particulars as per attached specification

GROSS WEIGHT

MEASUREMENT

3 PACKAGES - 15220.9080.009 KG

Shipper Reference: 2101218771

BDP Reference: 2101218771

Shipper's mark, size and color

Non hazardous cargo according to the IMDG Code

SHIPPED ON BOARD

(FREET/PIPCAD)

Movement type : FCL CARGO

Liability on Carrier's Responsibility (as follows): The Carrier will be liable for any loss or damage to or destruction of or impairment of the Goods or an amount equivalent to (USD) one Package or container, whichever is greater, or an amount equivalent to the invoice value thereof, unless the carrier or its agent has been informed by the Shipper before loading and unloading in the B/L of loading and unloading weight change. Such information of weight change, if not indicated on the Carrier's copy of the manifest or on the B/L, shall be indicated on the B/L of loading and unloading weight change. The Shipper is responsible for the accuracy of the information provided on the B/L of loading and unloading weight change and for the accuracy of the information provided on the B/L of loading and unloading weight change. The Shipper is responsible for the accuracy of the information provided on the B/L of loading and unloading weight change.

Incoterms Group 1100

FREIGHT RATES, CHARGES, WEIGHTS AND/OR MEASUREMENTS

SUBJECT TO CORRECTIONS

Received by the Carrier or its Agent, Packages or Containers said to be as identified above and in apparent good order and condition, unless otherwise noted. It is acknowledged by both parties that the carrier and its agent are not responsible for any loss or damage to or destruction of or impairment of the Goods or an amount equivalent to (USD) one Package or container, whichever is greater, or an amount equivalent to the invoice value thereof, unless the carrier or its agent has been informed by the Shipper before loading and unloading in the B/L of loading and unloading weight change. Such information of weight change, if not indicated on the Carrier's copy of the manifest or on the B/L, shall be indicated on the B/L of loading and unloading weight change. The Shipper is responsible for the accuracy of the information provided on the B/L of loading and unloading weight change and for the accuracy of the information provided on the B/L of loading and unloading weight change. The Shipper is responsible for the accuracy of the information provided on the B/L of loading and unloading weight change.

as it is intended to be used, origin bills of lading have been signed off an alternative

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BDP INTERNATIONAL LOGISTIK LTD. STL

Maritime Division - Caspian Branch

TEL: 07 330 1671 FAX: 07 330 1671

MAHSAH BOU FOUAD 10-10-2019

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DATED AT

03/01/19

ISTANBUL

BDP INTERNATIONAL LOGISTIK LTD. STL

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Konşimento 3

Akreditiflerin İçeriği

- Akreditif altında 1 nüsha konşimentonun alıcıya doğrudan gönderilmesi alıcının belgeleri almaksızın malları çekmesine olanak tanır.

Akreditif Genelde Cezayir

- 2 Konşimento
- 1 Invoice
- 1 Kopya menşe
- 1 Kopya Packing List

- 1 Konşimento
- 1 Invoice
- 1 Orjinal Menşe
- 1 Orjinal Packing List

Bankaya İbraz Edilecekler

DHL ile alıcıya gönderilecekler

- İhracatçı için büyük risk.
- Alıcı, en ufak rezervi bahane ederek ödeme yapmayabilir.



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Doğrudan Alıcıya Konşimento Göndermenin Riskleri

- Yukarıdaki görüşlere rağmen lehtarın her zaman bilincinde olması gereken husus, söz konusu türde şartları içeren bir akreditifi **kabul ettiğinde malların alıcıya teslim edildiği halde vesaike bulunan rezervler nedeniyle ödemenin amir bankaca askıya alınabileceğidir.**
- Kaynak: Akreditiflere İlişkin Sorunlu Olaylar ve ICC Görüşleri, Haluk Erdemol



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Örnek Olay 1

The case is:

- 1: The L/C asks for 2/3 B/L issued to order of the issuing bank and for beneficiary's certificate stating that 1/3 B/L together with other documents have been sent directly to applicant via courier. The bill of lading has been issued to the order of the issuing bank, as requested, indicating applicant as notify.
- 2: The Documents presented to the issuing bank by the nominated bank were discrepant (B/L showing costs additional to freight which were not allowed by the LC) and the issuing bank send its MT734 to the nominated bank within the 5 banking days, stating /HOLD/.
- 3: A few days after the nominated bank notified the documents refusal to the beneficiary, as a reply to beneficiary's email sent to applicant, applicant informed the beneficiary that have taken up the goods and that his bank, the issuing bank, will pay next day as per instructions received from the nominated bank.
- 4: No payment has been received nor any reply from the issuing bank to the many tracers sent by nominated bank since January till now.
- 5: The issuing bank is from a north African country

Questions:

- 1: Can the applicant get the goods without having the bill of lading endorsed by the issuing bank?
- 2: In case the issuing bank did endorse the bill of lading, is it obliged to pay notwithstanding the documents are discrepant and were refused in due time?



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Örnek Olay 2

32B:Currency Code Amount

Currency : EUR

Amount : #1.154.665,00

+2/3 ORIGINAL BILL OF LADING CLEAN AND SHIPPED ON BOARD ESTABLISHED TO THE ORDER BANQUE AL BARAKA D ALGERIE NOTIFY APPLICANT MARKED FREIGHT PREPAID

BENEFICIARY ATTESTATION CERTIFYING HE HAS SENT TO APPLICANT BY DHL THE FOLLOWING DOCUMENTS:

+1/3 ORIGINAL BILL OF LADING CLEAN AND SHIPPED ON BOARD ESTABLISHED TO THE ORDER BANQUE AL BARAKA D ALGERIE NOTIFY APPLICANT MARKED FREIGHT PREPAID

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