



May 2016

**To the Members**

Dear Sirs,

**Draft Charterparty Clause promoting the use of the Inter-Club New York Produce Exchange Agreement 1996 (as amended September 2011)**

The Inter-Club New York Produce Exchange Agreement 1996 (as amended September 2011) ("the 2011 Agreement") provides a mechanism whereby liability for cargo claims arising under the New York Produce Exchange Form (NYPE) or Asbatime charterparties and/or contracts of carriage authorised under such charterparties can be swiftly and fairly apportioned between owners and charterers.

The International Group recommends that the 2011 Agreement should be applied to all NYPE/Asbatime charterparties and claims arising under such charterparties whenever entered into and whether or not they incorporate the 2011 Agreement or any other version of the Inter-Club New York Produce Exchange Agreement.

In order to further promote the application and incorporation of the 2011 Agreement into all NYPE/Asbatime charterparties, the Group has drafted a charterparty clause which provides as follows:

*"Cargo claims as between Owners and the Charterers shall be settled in accordance with the Inter-Club New York Produce Exchange Agreement 1996 (as amended 2011), or any subsequent modification or replacement thereof. This clause shall take precedence over any other clause or clauses in this charterparty purporting to incorporate any other version of the Inter-Club New York Produce Exchange Agreement into this charterparty".*

The NYPE 2015 charterparty contains a similar clause which also promotes application and use of the 2011 Agreement and is equally acceptable.

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**STEAMSHIP MUTUAL UNDERWRITING ASSOCIATION LIMITED**

Authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority  
(Registered in England and Wales – Registration number 105461. PRA and FCA registration number 202548)

**MANAGERS: STEAMSHIP P&I MANAGEMENT LLP**

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All Clubs in the International Group have issued a similar circular.

Yours faithfully,

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