BIMCO Sanctions Clause for Container Vessel Time Charter Parties 2021

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|  BIMCO strongly recommends that parties read the guidance notes carefully before using this clause. |

(a) For the purposes of this Clause:

“Sanctioning Authority” means the United Nations, European Union, United Kingdom, United States of America or any other applicable competent authority or government.

“Sanctioned Party” means any persons, entities, bodies, or vessels designated by a Sanctioning Authority.

“Sanctioned Cargo” means any cargo, with respect to that cargo’s voyage, in which a Sanctioned Party has an interest or the loading, carriage, or the discharging of which is sanctioned or prohibited by a Sanctioning Authority.

(b) Owners warrant that at the date of this Charter Party and throughout its duration they, the registered owners, bareboat charterers, intermediate disponent owners, managers, the Vessel and any substitute are not a Sanctioned Party.

(c) Charterers warrant that at the date of this Charter Party and throughout its duration they and any subcharterers are not a Sanctioned Party.

(d) If at any time either party is in breach of subclause (b) or (c) above then the party not in breach may terminate and/or claim damages resulting from the breach.

(e) Charterers shall not carry Sanctioned Cargo that they know or should have known is a Sanctioned Cargo.

(f) The Charterers shall indemnify and hold the Owners harmless against all claims, costs, losses, and fines or penalties, arising out of the carriage of Sanctioned Cargo, unless such Sanctioned Cargo is found to have been secreted in containers by or with the complicity of the Master, officers and/or crew without the knowledge of the Charterers or the Charterers’ agents.