**提单遗失（放货）保函**

[Insert Date]

[填写日期] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

To: BAL CONTAINER LINE CO., LTD. and/or

Owners/Charterers/Manager/Operators or Agents of

M/V [\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]

致： 博亚国际海运有限公司

[\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_]轮的

船东/租船人/管理人/运营人或代理

Ship/Voy: [Insert name of ship & Voy No.]

船舶/航次：[填写船名及航次号]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

L/D Ports: [insert load and discharge ports as stated in bill of lading]

装/卸货港：[填写提单中载明的装/卸货港]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Shipper: [insert name of shipper]

托运人：[填写托运人名称]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Consignee:[insert name of consignee]

收货人：[填写收货人名称]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Cargo: [Insert description of cargo]

货物： [填写货物描述]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

B/L Info: [Insert identification numbers, date and place of issue]

提单信息： [填写提单号、签发日期及签发地点]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dear Sirs

敬启者：

The above cargo was shipped on the above ship by [insert name of shipper] and consigned to [insert name of consignee or party to whose order the bill of lading is made out, as appropriate] delivery at the port of [insert name of discharge port stated in the bill of lading] but the full set of original bill of lading was accidentally lost during document transmission. We, [insert Chinese & English name of party make such request] hereby request you to release the shipment to consignee, [insert name of consignee] against the letter of indemnity and without the presentation of original bill of lading.

上述货物已由[填写托运人名称]交给上述船舶受载，发往[填写提单中载明的卸货港名称]， 拟交付给[填写提单中载明的收货人或收货方名称，视情况而定]，但由于全套正本提单在文件流转中不慎丢失，我们[填写请求方的中英文名称]在此要求你们根据本保函予以无单放货给收货人[填写收货人名称] 。

In consideration of your complying with our above request, we hereby agree as follows:-

鉴于你们应我们的上述要求交付货物，我们兹同意如下：

1. To indemnify you, your servants and agents and to hold all of you harmless in respect of any liability, loss, damage or expense of whatsoever nature which you may sustain by reason of delivering the cargo in accordance with our request.

若由于你们、你们的雇佣人员或代理根据我们的要求交付货物而遭受任何性质的责任、损失、 损害或费用，我们将负责赔偿，并保障你们不受影响。

1. In the event of any proceedings being commenced against you or any of your servants or agents in connection with the delivery of the cargo as aforesaid, to provide you or them on demand with sufficient funds to defend the same.

如果有人因为你们应我们的要求交付货物而对你们、你们的雇佣人员或代理提起任何诉讼， 我们将应你们的要求提供足够的资金，供你们抗辩之用。

1. If, in connection with the delivery of the cargo 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 ship’s 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.

如果当事船舶，你们，你们的雇佣人员或代理，当事船舶的船东、管理人或控制人属下的其他船舶或财产因上述交付行为而遭扣押或查封，或有人威胁扣押或查封上述船舶或财产，或有人干预当事船舶的使用或买卖（通过向船舶登记处提交警告或以其他方式），我们将应你们的要求提供足够的保释金或其他担保以避免或解除该等船舶或财产被扣押或查封并清除干预；同时，不论这种扣押、查封或威胁的扣押、查封或干预是否正当，我们都将赔偿你们由此遭受的一切责任、损失、损害或费用。

1. If the place at which we have asked you to make delivery is a bulk liquid or gas terminal or facility, or another ship, lighter or barge, then delivery to such terminal, facility, ship, lighter or barge shall be deemed to be delivery to the party to whom we have requested you to make such delivery.

如果我们指定的交付地点为液体或气体散货码头或设施或其他船舶、驳船或驳运船，则你们 将货物交付至该等码头、设施、船舶、驳船或驳运船，即视为已将货物交付给我们指定的交付对象。

1. The liability of the undersigned under this letter of indemnity shall be joint and several and shall not be conditional upon your proceeding first against any person, whether or not such person is party to or liable under this letter of indemnity.

本保函项下的签署人应承担连带责任，而不以你们向任何保证人提起诉讼为条件，不论后者 是否为本保函当事人或因本保函而需承担责任之人。

1. We undertake to deposit in cash amount \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ into the bank account nominated by you or otherwise provide you with the bank guarantee of \_\_\_\_\_\_ (amount) to your loading port office as the security of this letter of indemnity.

本保函后附之银行担保如果由于任何原因未能完成，我们保证将提供金额为 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_的现金存放到贵司指定的银行账户之中或者金额为\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_的银行担保作为本保函的现金担保。

1. This letter of indemnity shall be construed in accordance with Chinese Law and each and every person liable under this letter of indemnity shall at your request submit to the jurisdiction of the Maritime Court of China in port of loading.

本保函应根据中国法律进行解释。根据本保函承担责任的每位人员应你们的要求，同意将提单装运地中国海事法院为管辖法院。

1. This letter of indemnity is prepared in both Chinese and English. If there is any conflict in the construction of this indemnity terms, Chinese version shall prevail.

本保函以中英文两种语言文本起草。如果对保函内容的解释发生歧义，则以中文版的文字为 准。

Yours faithfully,

此致，

Shippers Forwarder

[insert Chinese name of requestor]

[insert Chinese name of requestor]

[填写请求方的中文名称] [填写请求方的中文名称]

托运人

货运代理人

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name & Title

Print Name & Title

Signature

Signature