

LETTER OF INDEMNITY FOR BLENDING/COMMINGLING

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TO :

SHIP :

VOYAGE :

CARGO :

B/L DATE : (IF CARGO ALREADY ONBOARD VESSEL)

C/P DATE :

DATE OF LETTER OF UNDERTAKING:

IN CONSIDERATION OF YOUR COMPLYING WITH OUR REQUEST TO :

WE HEREBY UNDERTAKE:

1. TO INDEMNIFY YOU, YOUR SERVANTS AND AGENTS AND TO HOLD ALL OF YOU HARMLESS IN RESPECT OF ANY LIABILITY, OR LOSS OR DAMAGE OF WHATSOEVER NATURE, INCLUDING BUT NOT LIMITED TO ANY LIABILITY IN CONNECTION WITH CHANGE OF QUANTITY, QUALITY OR PUMPABILITY, WHICH YOU MAY SUSTAIN BY REASON OF BLENDING CARGOES ON BOARD THE VESSEL AND THAT THE BLENDING OF THE ABOVE CARGOES IS NOT STATED IN THE BILLS OF LADING AND/OR IN ISSUING NEW BILLS OF LADING IN CONNECTION THEREWITH;
2. TO PROVIDE YOU, YOUR SERVANTS AND AGENTS, IN THE EVENT OF ANY PROCEEDINGS BEING COMMENCED AGAINST YOU IN CONNECTION WITH THE BLENDING OF CARGOES AS AFORESAID AND THAT THE BLENDING OF THE ABOVE CARGOES IS NOT STATED IN THE BILLS OF LADING AND/OR ISSUING OF NEW BILLS OF LADING IN CONNECTION THEREWITH, FROM TIME TO TIME ON DEMAND, WITH SUFFICIENT FUNDS TO DEFEND SAME;
3. PROMPTLY TO PROVIDE YOU ON DEMAND WITH SUCH BAILS OR OTHER SECURITY AS MAY BE REQUIRED IF, IN CONNECTION WITH THE BLENDING OF CARGOES AS AFORESAID AND THAT THE BLENDING OF THE ABOVE CARGOES IS NOT STATED IN THE BILLS OF LADING AND/OR ISSUING OF NEW BILLS OF LADING IN CONNECTION THEREWITH, THE VESSEL OR ANY OTHER VESSEL OR PROPERTY BELONGING TO YOU SHOULD BE ARRESTED OR DETAINED OR, IF THE ARREST OR DETENTION THEREOF SHOULD BE THREATENED, TO PREVENT SUCH ARREST OR DETENTION, OR TO SECURE THE RELEASE OF SUCH ARREST OR DETENTION, OR TO SECURE THE RELEASE OF SUCH VESSEL OR PROPERTY AND INDEMNIFY OWNER IN RESPECT OF ANY LOSS, DAMAGE OR EXPENSES CAUSED BY SUCH ARREST OR DETENTION, WHETHER OR NOT THE SAME BE JUSTIFIED;
4. THE LIABILITY OF EACH AND EVERY PERSON UNDER THIS UNDERTAKING SHALL BE JOINT AND SEVERAL AND

SHALL NOT BE CONDITIONAL UPON YOUR PROCEEDING FIRST AGAINST ANY PERSON, WHETHER OF NOT SUCH PERSON IS PARTY TO OR LIABLE UNDER THIS UNDERTAKING.

5. WE UNDERTAKE THAT WE WILL WITHIN 14 DAYS OF RECEIVING A REQUEST TO DO SO, INSTRUCT SOLICITORS TO ACCEPT SERVICE OF PROCEEDINGS ON OUR BEHALF AND TO FILE AN ACKNOWLEDGEMENT OF SERVICE THEREOF.

6. THIS INDEMNITY SHALL BE SUBJECT TO ENGLISH LAW AND JURISDICTION OF THE HIGH COURT OF ENGLAND.

YOURS FAITHFULLY,

FOR AND ON BEHALF OF

(CHARTERERS)
(FULL NAME AND TITLE OF AUTHORIZED SIGNATORY)