

PORTS AMERICA STANDARD TERMS AND CONDITIONS - UPDATE JUNE 17TH 2022

Shipper Demurrage and Detention Invoice Legal Requirements. In an effort to implement the Ocean Shipping Reform Act of 2022 (“OSRA 2022”) and to facilitate continuing cargo flows and prompt cargo release, as of June 17, 2022, any demurrage and/or detention invoice governed by OSRA 2022 shall be subject to the following: (i) the Terminal acts as agent for the Carrier, and relies upon the representations, warranties of and accuracy and completeness of information supplied by the Carrier, as applicable, with respect to contents of each invoice, and (ii) Terminal may issue demurrage and detention invoices in accordance with existing practice on an interim basis, and will amend and/or reissue invoices as soon as technically practical to the extent additional information is required to be provided pursuant to OSRA 2022 or other changes in law or regulations. Any certification with respect to a Carrier’s compliance with OSRA 2022 or other law or regulation contained on a Terminal invoice is made solely on the basis of reliance on representations of the Carrier. Further, as of June 17, 2022, the Terminal has requested, and expects, but has not received confirmations and consents from all Carriers concerning the making of OSRA 2022 Carrier statements and certifications, including as described in Sections 7(d)(2)(L) and (m), and any such statement or certification contained in an invoice from the Terminal is limited to the information and belief of the Terminal.