

**LUSTER MARITIME S. A.**  
**HIGAKI SANGYO KAISHA, LTD.**

Date: 1 April 2021

To: **The concerned in Cargo / Containers onboard the "EVER GIVEN"**

From: **LUSTER MARITIME S. A. / HIGAKI SANGYO KAISHA, LTD.**

**"EVER GIVEN" – General Average Declaration**

On 23 March 2021, in the course of laden voyage to Rotterdam, the vessel ran aground in the southern portion of the Suez Canal. Tugs and dredgers were engaged for re-floating operations and the vessel was successfully refloated on 29 March.

The above situation gives rise to General Average. As a consequence, shipowners have declared General Average and have appointed Richards Hogg Lindley to collect necessary General Average security and prepare an Adjustment.

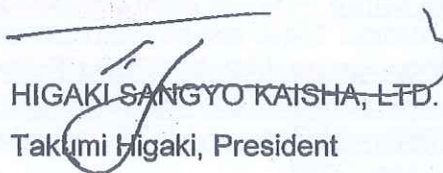
A notice to cargo detailing the security requirements and copies of the relevant forms will be circulated following this announcement.

We thank you for cooperation in this matter.

Regards,



LUSTER MARITIME S. A.  
Hidefumi Higaki, President



HIGAKI SANGYO KAISHA, LTD.  
Takumi Higaki, President



Date: 1 April 2021

To: The concerned in Cargo / Containers onboard the "EVER GIVEN"

**"EVER GIVEN" – General Average**

On 23 March 2021, in the course of laden voyage to Rotterdam, the vessel ran aground in the Southern portion of Suez Canal. Tugs and dredgers were engaged for re-floating operations and the vessel was successfully refloated on 29 March.

The above situation gives rise to General Average. As a consequence, shipowners have declared General Average and have appointed Richards Hogg Lindley to collect necessary General Average security and prepare an Adjustment.

The General Average security required from cargo and container interests is summarised as follows:-

1. **Insured cargo.** Average Guarantee completed and signed by the cargo insurers, together with a copy of the cargo invoice.

*(Please note owners have elected not to collect Average Bonds from insured cargo as standard in this case. If an Average Bond is a requirement of your cargo the adjusters will make the specific request to you in due course.)*

Completed Average Guarantees should be sent by email to Richards Hogg Lindley at the email address below:

	Parties based in Europe / UK	Parties based in all other locations
Email:	<a href="mailto:eg-casualty@rhl-ct.com">eg-casualty@rhl-ct.com</a>	<a href="mailto:Singapore.GA@rhl-ct.com">Singapore.GA@rhl-ct.com</a>
Tel:	+44 151 433 3320	+65 6506 2897/8

Please quote the ship name (EVER GIVEN) plus the container number(s) and bill of lading number in all email correspondence.

2. **Uninsured Cargo.** Average Bond completed and signed by cargo owners, together with a copy of the cargo invoice. These can be submitted electronically via the following link:

<https://eu.docuSign.net/Member/PowerFormSigning.aspx?PowerFormId=86f508b6-b5f4-46fc-8fbf-e9ae19d5a58f&env=eu&acct=c8fe1757-d24b-4004-a382-f736dd5cf208&v=2&CasualtyId=7&CasualtyName=EVER+GIVEN+Grounding+in+Suez+Canal+on+23-Mar-2021>

For uninsured cargo, a cash deposit will also be required instead of an insurers' guarantee. The level of cash deposit has not yet been set. Details of the cash deposit and further instructions about arranging payment will be posted on the casualty website of Richards Hogg Lindley as soon as possible and an updated notice circulated.

Richards Hogg Lindley  
4th Floor, Royal Liver Building,  
Pier Head, Liverpool  
L3 1JH

T: +44 151 433 3320  
E: [eg-casualty@rhl-ct.com](mailto:eg-casualty@rhl-ct.com)  
[www.rhl.com](http://www.rhl.com)



**RHL Casualty Website**

Blank security forms, plus further news and information including release procedures for cargo will be made available at: <https://rhlclientarea.ctplc.com>

Select the vessel's name (**EVER GIVEN**) from the dropdown menu and enter the password which for this case is: GE2123

**Delivery of Cargo**

Cargo can only be released after acceptable General Average security has been provided.

A list of cargoes for which sufficient General Average security has been provided will be published on the casualty website and will be updated daily. Cargo owners should contact their shipping company in the usual way to arrange delivery once their container is listed.

**Note regarding LCL / Groupage cargo**

Freight forwarders should URGENTLY provide a full breakdown of any LCL / Groupage containers as soon as possible in order to readily identify all the individual shipments within the container. This breakdown should include house bill of lading numbers, cargo descriptions, cargo weights plus details of the shippers and receivers of the goods.

**Please treat this as a matter of utmost urgency to avoid unnecessary delay: cargo cannot be released until the General Average requirements have been met.**

We thank you for cooperation in this matter.

**RICHARDS HOGG LINDLEY**

**AVERAGE GUARANTEE**(To be signed by Insurers of Cargo to avoid collection of Deposits)

**NOTE:** This guarantee will be accepted provided that no additions, deletions or amendments are made to it, and shall be valid and enforceable irrespective of the existence or terms of any separate undertakings given by the property owner and any provisions in the insurance on the property.

To: The Owners of the vessel named below and other parties to the adventure as their interests may appear.

**VESSEL:** "EVER GIVEN".....**CASUALTY** and **DATE:** Grounding in the Suez Canal- 23 March 2021

In consideration of the delivery in due course of the goods specified below to the consignees thereof without collection of a deposit, we, the undersigned insurers, hereby undertake to pay to the shipowners or to the Average Adjusters, Richards Hogg Lindley, on behalf of the various parties to the adventure as their interests may appear, any contribution to General Average and/or Salvage and/or Special Charges which may hereafter be ascertained to be properly and legally due in respect of the said goods. We agree further:

- a) to make prompt payment on account of such sum as is duly certified by the average adjusters to be properly and legally payable in respect of the goods.
- b) to furnish promptly to the said Average Adjusters at their request all information which is available to us relative to the value and condition of the said goods.
- c) that this agreement shall be governed by and construed in accordance with English law and any dispute arising out of or in connection with this Agreement shall be referred to arbitration in London in accordance with the Arbitration Act 1996 or any statutory modification or re-enactment thereof. The arbitration shall be conducted in accordance with the London Maritime Arbitrators Association (LMAA) terms current at the time when the arbitration proceedings are commenced. The Reference shall be to three arbitrators as per the BIMCO / LMAA Arbitration Clause. We agree to nominate an address for service of proceedings under this Guarantee in England and Wales within 7 days of a request by the Shipowners or their lawyers to do so. Furthermore and in any event, we irrevocably agree to accept service of any proceedings arising out of or in connection with this Agreement.
- d) General Average is to be adjusted according to York/Antwerp Rules 1994.
- e) that this guarantee is intended to create a legally binding obligation notwithstanding that it may be transmitted and stored solely in electronic form. It is hereby agreed that transmission of this guarantee to the Average Adjusters by email constitutes good delivery to the owners and other parties to the adventure who wish to enforce this guarantee.
- f) that any period of prescription, whether provided by statute or law, contract or otherwise, shall commence to run from the date upon which the general average adjustment is issued.

Port of shipment: .....

Port of destination/discharge: .....

Bill of Lading or waybill number(s): .....

Container Number(s): .....

Quantity and Description of Goods: .....

Insurers Reference number or Policy number: .....

Insured Value: .....

SIGNATURE: .....

NAME OF SIGNATORY: .....

ADDRESS: .....

TEL NO: ..... E-MAIL: .....

DATE: .....

Richards Hogg Lindley  
4<sup>th</sup> Floor, Royal Liver Building,  
Pier Head, Liverpool  
L3 1JH



Date: Apr 1, 2021

Dear Valued Customers,

**"EVER GIVEN" – GENERAL AVERAGE DECLARATION – SUEZ CANAL GROUNDING**

On 23 March 2021, whilst the *Ever Given* ("The Vessel") was on passage from Malaysia to Rotterdam, the Vessel grounded in the Suez Canal, Egypt. Further to a six-day salvage operation engaging tugs and dredgers the Vessel was refloated on 29 March 2021. The above circumstances give rise to General Average and the vessel owners declared General Average on Apr 1, 2021 and have appointed Richards Hogg Lindley as the General Average Adjuster, to collect the necessary GA security.

Attached please find General Average Declaration Standard Instruction and Average Guarantee from Owners and Richards Hogg Lindley. According to clause no. 27 of the terms and conditions of the Bills of Lading, under which the cargo was shipped, unless the required General Average guarantee (and such additional security as may be required by the carrier) are submitted to and agreed by the General Average Adjuster, the goods will not be released and delivered to the cargo receivers.

In order to get your cargo smoothly released and to avoid unnecessary delay, please contact the Adjuster and PROVIDE THE NECESSARY SECURITY AND SUPPORTING DOCUMENTS TO THE ADJUSTER DIRECTLY AS SOON AS POSSIBLE. Please refer to the Adjuster's letter but the security and document requirements are re-stated below for ease of reference:

**For Insured Cargo**

- (a) Average Guarantee completed and signed by the cargo insurers, together with a copy of the cargo invoice. The documents should be sent by email to Richards Hogg Lindley at the email address listed below. Please quote the ship name (EVER GIVEN) plus the container number(s) and bill of lading number in all email correspondence.

	Parties based in Europe / UK	Parties based in all other locations
Email:	<u>eg-casualty@rhl-ct.com</u>	<u>Singapore.GA@rhl-ct.com</u>
Tel:	+44 151 433 3320	+65 6506 2897/8

- (b) Owners have elected not to collect Average Bonds from insured cargo as standard in this case. If an Average Bond is a requirement of your cargo the Adjusters will make the specific request to you in due course.

**For Uninsured Cargo**

- (a) Average Bond completed and signed by cargo owners, together with a copy of the cargo invoice. These can be submitted electronically via the following link:  
<https://eu.docusign.net/Member/PowerFormSigning.aspx?PowerFormId=86f508b6-b5f4-46fc-8fbf-e9ae19d5a58f&env=eu&acct=c8fe1757-d24b-4004-a382-f736dd5cf208&v=2&CasualtyId=7&CasualtyName=EVER+GIVEN+Grounding+in+Suez+Canal+on+23-Mar-2021>
- (b) Cash deposit will also be required instead of an insurers' guarantee. The level of cash deposit has not yet been set. Details of the cash deposit and further instructions about arranging payment will be posted on the casualty website of Richards Hogg Lindley as soon as possible and an updated notice circulated.

**Note Regarding LCL / Groupage Cargo**

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Blank security forms, plus further news and information including release procedures for cargo will be made available at: <https://rhlclientarea.ctplc.com>

Select the vessel's name (EVER GIVEN) from the dropdown menu and enter the password which for this case is: GE2123

Please treat this as a matter of utmost urgency to avoid unnecessary delay: cargo cannot be released until the General Average requirements have been met. Should you have any questions, please contact Richards Hogg Lindley directly.

As you will appreciate, all of Evergreen's rights remain expressly reserved.

Thank you.



## 关于“长赐”轮在苏伊士运河搁浅发生共同海损事故的公告

尊敬的客户：

2021年3月23日我司租轮“长赐”轮（EVER GIVEN，下称“该轮”）自马来西亚驶往鹿特丹途中，在埃及苏伊士运河发生搁浅事故，经过六天拖救作业，该轮已于3月29日重新浮起脱浅。前述拖救作业为共同海损行为，因此该轮船东于4月1日宣告共同海损，并指派共同海损理算人 Richards Hogg Lindley 搜集相关共同海损担保。

请详见船东及 Richards Hogg Lindley 所发出之 General Average Declaration Standard Instruction 和 Average Guarantee。根据我司提单条款第27条，除非货方向共同海损理算人提交必要的共同海损担保（包含我方可能要求的额外担保）和相关文件并经其同意放货，否则不得将货物交付给收货人。

为使收货人顺利领货及避免货物延迟交付，敬请尽速直接联系共同海损理算人并依共同海损理算人信函下述指示提供必要的担保和相关文件。

### 1. 已投保的货物

- (1) 提供由货物保险人签署的《共同海损担保函》(Average Guarantee)并随附货物发票复印件，并根据您所在的地区将上述文件寄至下列邮箱。请务必在邮件中注记船名“EVER GIVEN”及您的货物提单号码和柜号。

	欧洲/英国地区	其他地区
邮箱	eg-casualty@rhl-ct.com	Singapore.GA@rhl-ct.com
电话	+44 151 433 3320	+65 6506 2897/8

- (2) 在此情形下，船东选择对已投保的货物不另向贵方收取由货主签署的《共同海损担保函》(Average Bond)。如果共同海损理算人需要就贵方货物收取《共同海损担保函》，则由共同海损理算人另行向贵方提出具体要求。

### 2. 未投保的货物

- (1) 提供由货主签署的《共同海损担保函》(Average Bond) 并随附货物发票复印件，该等文件可直接上传至以下链接：

<https://eu.docusign.net/Member/PowerFormSigning.aspx?PowerFormId=86f508b6-b5f4-46fc-8fbf-e9ae19d5a58f&env=eu&acct=c8fe1757-d24b-4004-a382-f736dd5cf208&v=2&CasualtyId=7&CasualtyName=EVER+GIVEN+Grounding+in+Suez+Canal+on+23-Mar-2021>

- (2) 货方还须提供现金担保，现金担保额度目前尚未确定。现金担保的具体要求和付款指示以及进一步的通知将由 Richards Hogg Lindley 在其网站尽快公布。

### **拼箱/并柜货物特别注意事项**

为迅速识别柜内拼箱/并柜货载详情，货代/货物承揽人须应尽快提供拼箱并柜货物的完整舱单资料，包括无船承运人/货代提单号码、货物内容描述、货物重量、托运人及受收货人详细信息等。

如需要下载空白担保函表格，了解本案进一步消息和信息，包括放货流程，请至共同海损理算人 <https://rhlclientarea.ctplc.com> 网址查询，选择船名“EVER GIVEN”，输入密码 GE2123。

**为避免衍生不必要的领货延误，请尽速处理以符合共同海损的要求。再次提醒您，除非货方向共同海损理算人提供了上述共同海损担保及相关文件，否则货物将不得交付给收货人。**若您尚有其他问题，您可根据 Standard Instructions 中的邮箱与理算人 Richards Hogg Lindley 直接联系。

长荣海运将保留依据法律及提单条款而享有的全部权利。

感谢您的配合!

长荣海运发布

2021 年 4 月 1 日