



ITIC Post fixture Clause

ITIC has recommended a post fixture clause for brokers to place at the end of recap messages. The following wording was endorsed by FONASBA at its annual general meeting in Gothenburg:

“Important: Operations

It is essential that all messages in respect of operations be sent to the relevant email addresses (ops@broker.com). We can accept no responsibility for delay or other consequences if messages are sent to any other email address within the company. Please ensure that all important operational messages are followed up with a telephone call especially after office hours.”

Shipbrokers receive a vast number of messages every day. It is not surprising that sometimes messages get missed. The failure to spot and pass on a post fixture message can have severe financial consequences. In one case a broker failed to pass on berthing instructions. The vessel remained at anchorage and a substantial demurrage claim was passed to the broker. In another case, a broker received instructions from the Time Charterer to notify the Owner that the vessel should change direction. This message was not passed on for two days during which the ship had been steaming in the wrong direction. The broker received a claim for the costs incurred and the time lost.

Use of ITIC’s post fixture clause should lessen the chance of a claim from an important message being missed among the large number of market circulars and negotiation messages received during the average day.