

UNIT FOURTEEN

NOTICE OF READINESS

When on a voyage charter it is the master's responsibility to advise the charterer or his agent, in writing, as soon as the vessel is in all respects ready to load or discharge. This advice is given in the form of a Notice of Readiness tendered to the charterer or his agent. In some cases when a vessel is to load and she is expected at a definite hour, the company or your agent at the port may tender Notice. This is especially true if it is not required to get pratique or to clear Customs.

It is from the moment the notice of readiness has been accepted that the laydays commence, provided the ship fulfils the following conditions:

1. provided she is considered as an "arrived ship", that is, she is berthed or anchored at the place shown in the contract of carriage, and has received free pratique;
2. provided she is in all respects fit to load or discharge;
3. provided the notice has been delivered to the shippers or receivers;
4. provided the notice has been accepted.

At the port of discharge you should tender the Notice without delay. Generally, the charter party will contain a clause stating that laydays are to commence 24 hours after the master or owner has given written notice that the vessel is ready to discharge, whether in berth or not at the place ordered, such notice to be given during official office hours only. The time allowed may vary, and different charter parties may require that the Notice be tendered by the master only, or by either master, owner or agent. The 24 hours, or whatever it may be, gives the charterer time to make the necessary arrangements for discharge of the cargo.

The date the Notice is tendered, known as the "reporting day", should be entered in the logbook. If for any reason the Notice cannot be tendered after arrival, the reason should be entered in the logbook.

The Notice may be prepared by your agent and presented on board for your signature. There will be anywhere from six to ten copies-be sure to get one for your file.

If the 24 hours expire on an excepted holiday, laydays will begin to count at the beginning of the next working period, unless the charter party stipulates otherwise. Generally, a Notice of Readiness is required by the terms of a charter party. If there is no one to receive it, the facts should be logged and an attempt made to tender the Notice when the charterer or his agent show up, leaving the original date and time on the Notice. If the charterer, or his agent, refuses to sign the tendered Notice, or if either one avoids accepting it, claiming that the vessel is not in all respects ready to discharge or load, make an entry in the log of the reason for the refusal, advise your agent to employ a surveyor to inspect the vessel and inform the charterer or his agent that this is being done. Laydays should be counted from the time stipulated in the charter party as though the Notice had been accepted and signed when tendered.

The following is a typical Notice of Readiness (US):

SEVEN SEAS STEAMSHIP CORPORATION
NEW YORK
NOTICE OF READINESS

S.S. SEAWORTHY

Dear Sirs:

The above vessel has been cleared by Customs and is in free pratique at ___:___ hours on _____ 19__ in this port and is in all respects ready to commence loading / discharging cargo in accordance with the terms of the relevant charter party dated _____ 19 ___ at New York.

MASTER S.S. SEAWORTHY

The above Notice of Readiness was tendered at ___:___ hours on ___19___. Accepted at ___:___ hours on _____19___.

For the charterer:

Master S.S. SEAWORTHY:

Having made certain that the ship has arrived at the time and place laid down in the Charter-Party, the Shippers inspect the ship's holds in order to ascertain whether they are fit to receive the particular cargo the ship has engaged to transport and it is only then that they accept the notice. In accordance with usage and under a Gencon Charter-Party, the lay days commence at fourteen hours on the day when the notice has been delivered, provided this has been done during official hours, before twelve o'clock. If the notice has been delivered after twelve o'clock, the lay days commence at eight hours on the following working day. If the ship is not fit to load or has infringed other Charter-Party conditions, the notice of readiness is not accepted and the reasons for non-acceptance are stated. If the ship cannot enter port immediately, the notice can be transmitted by radio. In such a case the time she spends in the roads counts as "waiting time" provided the clause "time lost in waiting for berth to count as lay days" is inserted in the relevant Charter Party.

As a rule the vessels trading on regular lines are not strictly bound to give notice of readiness either for loading or discharge but they are not exempted from cabling their 72 (preliminary) and 24 hours (final) notice, i.e. cabling their ETA.

Here is another example of a Notice of Readiness:

Dear Sirs,

This is to inform you that the m.v. "ARIES" under my command arrived in the port of Neaples today at 09.00 hrs. and is lying at berth No. 8 in free pratique, ready in all respects to receive a cargo of 2000 tons of oranges as from 09.30 hrs. today.

The laydays commence and are counted as per clause No. 12 of the Owners' Bill of Lading, i.e. "as fast as the vessel can receive".

Yours faithfully,
Master of the mv "ARIES"

RECEIVED at 09.30 hrs. on the 12.01. 2.....

ACCEPTED at 09.40 hrs. on the 12.01. 2.....

QUESTIONS

1. What is the purpose of the Notice of Readiness?
2. Who is the Notice tendered to and by whom?
3. Which conditions must be fulfilled before the N/R is tendered?
4. When do the laydays commence, generally?
5. What is the "reporting day"?
6. Who usually prepares and who signs the Notice of Readiness?
7. What should you do if there is no one to receive the N/R?
8. What if the charterer or his agent refuse to accept the N/R?
9. How are the laydays counted in such a case?
10. What are the particulars of a Notice of Readiness? (see the examples given)
11. What do the Shippers do when they have made sure that the ship has arrived at the time and place laid down in the C/P?
12. When do the laydays commence under a Gencon C/P?
13. When is the Notice transmitted by radio? What about laydays?
14. What kind of notices are cabled by liner vessels?

EXERCISES

I COMPREHENSION AND VOCABULARY

1. Fit the right term in the right column corresponding to the meaning of definition in the left column:

person or company that takes delivery of the goods in the port of discharge:	
person or company that acts on behalf of the owner or charterer:	
company that undertakes the carriage by sea:	
contracts for the carriage of goods by sea:	
charge for the carriage of goods by sea:	
remuneration to the agents for their services:	
money charged by the charterer for delayed loading/discharge of the cargo:	
time allowed by the charterer or merchant for loading/discharge of the goods:	
time saved in loading and discharge of the goods:	
person or company that tenders the goods for loading to the ship:	

2. Supply the missing phrases: (*in all respects, berth no berth, in the roads, in accordance with*)

Please be informed that the m/tanker OMEGA arrived _15th February 2004 o and anchored at the west approach anchorage at 14.30 hrs. on 15th February 2004.

The vessel is _____ ready to commence discharging her cargo of 60.000 tons of crude oil and 14.000 tons of heavy fuel.

Laytime to commence and to count _____ Clause 14 of the C/P dated 10 January 2004, upon expiration of 6 hours after the receipt of this notice _____, unless actual discharge is commenced earlier.

Yours faithfully,
Master

II GRAMMAR

1. Fill in the required conjunctions: (*that, when, if, in order to*)

The laydays commence within 6 hours on the day _____ the notice of readiness has been delivered. The notice is not accepted _____ the ship is not fit to load. A copy of the notice is returned to the master _____ it has been accepted. The notice of readiness is an advice to the shippers _____ the ship is ready to load or discharge. The shippers should check the holds _____ ascertain whether they are fit to load the cargo. _____ the freight has not been paid, the master may exercise his right of lien on the goods.

2. Adjuncts of time. Underline the parts of the sentence expressing time:

1. On arrival in the port of destination the ship must get free pratique.
2. The notice of readiness should be tendered during official hours.
3. If the N/R cannot be tendered after arrival, the reason for this should be stated in the logbook.
4. Laydays should be counted from the time stipulated in the C/P.
5. Under a Gencon C/P laydays commence at fourteen hours on the day of the delivery of the Notice of Readiness.
6. If the N/R has been delivered after twelve o'clock, the laydays commence at eight hours on the following working day.
7. If the ship cannot enter port immediately the N/R can be transmitted by radio.
8. The ship is ready to start loading the cargo as from 09.30 hours today.

3. Clauses of time. Consider the following pairs of sentences:

1. a) *Before the Notice of Readiness is tendered*, a number of conditions must be fulfilled.
b) *Before tendering the Notice of Readiness*, a number of conditions must be fulfilled.
2. a) *After the Shippers have made certain about the ship's arrival*, they inspect the ship's holds.
b) *Having made certain about the ship's arrival*, the Shippers inspect the ship's holds.

In sentences under b) the full verb form from examples a) has been transformed into a shortened form of the verb, i.e. present participle (tendering) and perfect participle (having made). The conjunction (before) has been retained, whereas in ex. 2 b) it has been omitted in front of a perfect participle.

Transform the sentences below following the examples 1 and 2:

1. When the ship arrives in a foreign port, she must be granted free pratique first.

1a _____

2. After the arrival of the ship in the port, the Master is expected to tender the notice of readiness.

2a _____

3. Before the ship enters the port, she must radio her exact ETA.

3a _____

4. After the carrier has received the goods into his custody, he must issue to the shipper a bill of lading.

4a _____

5. When the ship loads for more than one port, a different colour is used on the cargo plan for each port.

5a _____

6. When the cargo had been discharged, the holds were cleaned.

6a _____

7. When the ship loads palletized shipments, we must allow for increased lost space.

7a _____

8. When the ship overtakes another, she should keep clear.

8a _____

9. After the ship had arrived in the port, the master had to tender the notice of readiness.

9a _____

10. Loading or discharging operations must not start before the Notice of Readiness has been accepted.

10a _____

III TRANSLATION

1. Notice of Readiness:

Ovime Vas obaviještavamo da je m/b "Jabuka" pod mojim zapovjedništvom stigao danas u luku Napulj i da se nalazi na vezu br. 4 "slobodan promet" ishoden, te da je spreman u svakom pogledu da započne ukrcaj 3.000 tona generalnog tereta danas počevši od 19.00 sati.

Vrijeme stojnica počinje i računa se prema klauzuli 15 teretnice brodara, tj. "onako brzo kako brod može primiti".

*S poštovanjem,
XY, zapovjednik broda
"JABUKA"*

2. Čim brod bude spreman za ukrcaj, pozvat ćemo nadzornika tereta (Cargo Superintendent).
3. Nakon što javite točno vrijeme dolaska, pripremite pismo spremnosti.
4. Prije nego predate pismo spremnosti, provjerite (make sure whether) da li je brod spreman za iskrcaj.
5. Čekamo na odgovor krcatelja od 16.00 sati.
6. Dok je brod krcao teret, zapovjednik je razgovarao s agentom.

IV GUIDED WRITING

As master of the M/V ŠKOLJ write a notice of readiness to your agents (XY) in the port of Genoa, using the following information:

- time of arrival: 16th May 19, 13.00 hrs
- place: anchorage
- loading to commence: 07.00 hrs on the following day
- lay days: in accordance with C/P, twelve hrs upon receipt of N/R