

# Unit 4

Ocean Bill of Lading

海运提单



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# Definition

Ocean Bill of Lading, or B/L for short, means a document which evidences a contract of carriage by sea and the takeover or load of the goods by the carrier, and by which the carrier undertakes to deliver the goods against surrender of the document. It is issued and signed by a shipping company or its authorized agent.



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1. B/L is a cargo receipt made out by the carrier;
2. B/L is the evidence of the contract of carriage between the consignor and the shipping company;
3. B/L is a document of the title/ownership to the goods.



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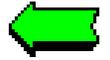
**B/L can be classified in different ways:**

1. According to the order of consignee, there are Straight B/L, Order B/L and Bearer B/L (Open B/L, or Blank B/L);
2. According to the condition of boarding, there are Shipped B/L(or On Board B/L) and Received for Shipment B/L;
3. According to the remark about the outside appearance of the goods on B/L, there are Clean B/L and Unclean B/L (or Foul B/L);
4. According to the ways of shipment, there are Direct B/L, Transshipment B/L and Through B/L;
5. According to the contents on the back side of B/L, there are Long Form B/L and Short Form B/L(or Simple B/L);
6. According to the date of issue, there are Ante-dated B/L, Advanced B/L and Stale B/L;
7. According to the ways of collecting freight, there are Freight Prepaid B/L and Freight to Collect B/L.





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## (1) Carrier (承运人)

It is the complete name and address of the forwarding agent (运输公司).

## (2) Shipper or Consignor (托运人或发货人)

Usually it should be the beneficiary of the L/C. Full name and address are necessary except otherwise specified in the L/C.

《UCP500》第32条规定，除非信用证另有规定，银行将接受表明以信用证受益人以外的一方为发货人（托运人）的运输单据。此时，称此提单为“Third Party B/L”（第三方提单）。



## (3) Consignee (收货人)

It can be the Applicant (or Buyer, Accountee (开证申请人) or another party named by the Applicant who becomes the “real” buyer) or to his order(凭 ..... 指示). It also can be the opening bank (or the other bank named by the opening bank) or to his order; and sometimes it just be “to order” without any specific name.

即提单的抬头。这一栏直接关系到提单是否能转让以及提单下的货物物权归属问题，是提单当中重要的一栏，应按信用证规定填写。1.如信用证规定，“B/L...MADE OUT IN NAME OF ABC CO., NEW YORK”，则该栏应填写“ABC CO., NEW YORK”，此时该提单为记名提单（Straight B/L），不能转让。2.如信用证规定：“B/L...MADE OUT BEARER”，则该栏应填写“BEARER”，此时该提单为不记名提单（Bearer B/L），可以仅凭交付转让，无须任何手续。3. 1）如信用证规定：“B/L...MADE OUT TO THE ORDER OF APPLICANT”，则该栏应填写“TO THE ORDER OF+ 开证申请人的名称和地址”。2）如信用证规定：“B/L...MADE OUT TO THE ORDER OF ISSUING BANK”，则该栏应填写“TO THE ORDER OF+ 开证行的名称和地址”。3）如信用证规定：“B/L...MADE OUT TO THE ORDER OF SHIPPER”，则该栏应填写“TO THE ORDER OF SHIPPER”；4）如信用证规定：“B/L...MADE OUT TO ORDER”，则该栏应填写“TO ORDER”，如课文中的例单。以上四种情况下，提单称为指示提单，其中，第4种情况下，又叫作空白抬头的提单。指示性抬头的提单通过背书可以转让。



## (3) Consignee (收货人)

It can be the Applicant (or Buyer, Accountee (开证申请人) or another party named by the Applicant who becomes the “real” buyer) or to his order(凭.....指示). It also can be the opening bank (or the other bank named by the opening bank) or to his order; and sometimes it just be “to order” without any specific name.

关于背书:

1. 由谁背书: 物权所有人可以背书, 上述 4 种情况下, 背书人分别为 APPLICANT、ISSUING BANK、SHIPPER、SHIPPER。

2. 如何背书: (1)空白背书——由背书人在提单背面签章。

(2)记名背书——在提单背面由背书人签章, 同时写明被背书人(受让人)的名称和地址。

应按信用证要求进行背书。如: 信用证要求“BLANK ENDORSED”, 则做空白背书, 只签注背书人的名称。



## (4) Notify Party (通知方)

It sometimes can be the importer.

这是船公司在货物到达目的港时发送到货通知的收件人，有时即为进口人。在信用证项下的提单，如信用证上对提单被通知人有具体规定时，则必须严格按信用证要求填写。如果是记名提单或收货人指示提单，且收货人又有详细地址的，则此栏可以不填。如果是空白指示提单或托运人指示提单则此栏必须填列被通知人名称及详细地址，否则船方就无法与收货人联系，收货人也不能及时报关提货，甚至会因超过海关规定的申报时间而被没收。

特殊情况：

- 1) 信用证未规定具体通知方，则正本提单可不填写，副本提单填写信用证的开证申请人；
- 2) 信用证规定两个通知方，则应同时填写两个通知方的名称和地址。



## (5) Folio Number (分提单的号码)

Here it refers to the number of the B/L when the B/L has more than one page, it is given by the carrier just for file.

## (6) House Bill of Lading (货运代理人提单或主运单号码)

It is given by shipping company or its agent.

运输代理行提单 **HOUSE B/L** 由货运代理人签发。这种提单从技术上和严格的法律意义上说，是缺乏提单效力的。它只是运输代理人收到托运货物的收据，而不是一种可以转让的物权凭证，故不能凭此向承运人提货。根据国际商会《跟单信用证统一惯例》1993年修订本的规定，除非提单表明运输行作为承运人（包括无船承运人）或承运人的代理人出具的提单，或国际商会批准的“国际货运代理协会联合会”的运输提单可以被银行接受外，银行将拒收这种提单。



## (7) Freight Payable at (运费支付地)

On FOB terms, freight is usually paid at port of destination, while on CFR or CIF terms it is at the port of loading.

## (8) Number of Original B/Ls (正本提单份数)

It can be indicated in figures or in words and should meet the requirements in the relevant L/C.

通常船公司签发的正本提单份数为1—3份，一般使用英文数字表达。如信用证规定了正本提单的签发份数，则应按信用证的规定填写。如“**FULL SET OF**”一般理解成两正两副。其中一份正本完成提货任务后，其余各份失效。如果要求的提单正本份数超过两份，则会写“**3/3**”，表明是三份正本，其中分母表示正本的份数，分子表示需提交给银行的正本提单的份数，实际上是要求所有正本必须提交给银行。



## (9) Port of Loading (装运港)

It shall be the detailed name of the port of loading.

避免在进口业务中使用如中国港口、广东或欧洲主要港口等笼统字眼。有些船运公司的提单分有装运港、卸货港和转运港，那么具体按要求填写即可。但有些船运公司的提单分为装运港、卸货港，没有转运港栏，如果实际涉及转运，那么在“Place of Receipt”处填写装运港，“Port of Loading”处填写转运港，在“Port of Discharge”处填写目的港。



## (10) Port of Discharge (卸货港)

It should specify the port of destination if the goods are delivered direct to the destination . Port of transshipment shall be filled in case of transshipment.

填列货物实际卸下的港口名称。如属转船，第一程提单上的卸货港填转船港，收货人填第二程船公司；第二程提单装货港填上述转船港，卸货港填最后目的港。如由第一程船公司出联运提单(THROUGH B/L)，则卸货港即可填最后目的港，提单上列明第一和第二程船名。如经某港转运，要显示“VIA X X”字样。在运用集装箱运输方式时，目前使用“联合运输提单”(COMBINED TRANSPORT B/L)，提单上除列明装货港、卸货港外，还要列明“收货地”(PLACE OF RECEIPT)、“交货地”(PLACE OF DELIVERY)以及“第一程运输工具”(PRE-CARRIAGE BY)，“海运船名和航次”(OCEAN VESSEL, VOY NO)。填写卸货港，还要注意同名港口问题，如属选择港提单，就要在这栏中注明。如伦敦/鹿特丹/汉堡选卸，则在卸货港栏中填上“option London/Rotterdam/Hamburg”，收货人必须在船舶到达第一卸货港前在船公司的规定时间内通知船方卸货港，否则船方可在其中任意一港卸货。选择港最多不得超过三个，且应在同一航线上，运费按最高者计收。



## (11) Ultimate Destination (最终目的地)

The inland (内陆) destination should be filled in if needed.

## (12) Ocean Vessel & Voy (船名和航次)

It will be the name and voyage of the ship. If transshipment is allowed, the name of transshipped vessel shall be specified after the first ship, such as “ SUN FLOWER 389/ FOUNTINE V2984”.

## (13) Seal Number (封号)

It is the seal number of the container(s) usually given in the shipping order.

## (14) Container Number (集装箱号码)

If the goods are shipped in container, the number of containers shall be filled in and given in the shipping order.



## (15) Master Bill of Lading No. (主运单号码)

It is given by the shipping agents (船运代理) .

## (16) Marks & Numbers (唛头)

It shall be in compliance with those in the L/C or the invoice and packing list if there is no such mention in the L/C.

## (17) Number and Kind of Packages, Description of Goods (件数和包装种类、货物描述)

It will be the number of packages in figure and the name of commodity.

按实际情况列明。一张提单有几种不同包装应分别列明，托盘和集装箱也可作为包装填列。裸装有捆、件，散装货应注明“in bulk”。危险品应写清化学名称，注明国际海上危险品运输规则号码（IMCO CODE PAGE）、联合国危规号码（UN CODE NO）、危险品等级（CLASS NO）。冷藏货物注明所要求的温度。



## (18) Measurement (体积)

It usually use CBM (cubic meter 立方米) for carrier's count.

## (19) Gross Weight (毛重)

It will be the gross weight of total in kilogram.

## (20) Freight Prepaid (运费预付)

Ways of payment of freight fall within three kinds :“ FREIGHT PREPAID”（运费预付） or “FREIGHT PAID”(运费已付) for trade on CIF or CFR terms and “ FREIGHT TO COLLECT” for business on FOB basis.

## (21) Container and Seal No. (集装箱号和封号)

It is not the contents required for all Bs/L.



## (22) Number of Packages (in words) (包装件数)

Number of total packages shall be specified both in figures and in words.

应将件数同时以数字和文字标明出来，如“111 CARTONS (SAY ONE HUNDRED AND ELEVEN CARTONS ONLY)”。如在提单中无此栏，可将包装件数写在货物描述栏。

## (23) With this Bill of Lading to 收货地代码

It actually refers to the real carrier.

因本提单是运输代理行提单，若有关当事人欲查询货物运输的详情可向实际承运人查询。在常用的提单中，尤其是由实际承运人签发的提单中没有此栏。

## (24) Date of Shipping on Board (装船日期)

It is the specific date of the goods shipped on board.



## (25) Date and Place of Issue (签发地点和日期)

Place shall be the port of loading where the B/L is issued, and the date refers to the date of shipment and will in no case be later than the latest date of shipment in the L/C.

如果卖方估计货物无法在信用证装船期前装上船，应尽早通知买方，要求修改信用证，而不应利用“倒签提单”、“预借提单”等欺诈行为取得货款。



## (26) Signature of Carrier (承运人签章)

B/L shall be signed by carrier or its agent or the master of the ship according to Article No.23 in UCP500.

《UCP500》第23条规定：提单须表面注明承运人的名称，并由下列人员签字或以其他方式证实，一般表示方法有：CARRIER, CAPTAIN, 或“AS AGENT FOR THE CARRIER: XXX”等。即

——承运人或承运人的具名代理或代表

——船长或船长的具名代理或代表

如：China Ocean Shipping Co.

As carrier

Or : China Foreign Trade Transportation Corporation

As agent for XXX as carrier

Or: China Ocean Shipping Co.

As Master

承运人或船长的任何签字或证实，必须表明“承运人”或“船长”的身份。代理人代表承运人或船长签字或证实时，也必须表明所代表的委托人的名称和身份，即注明代理人所代表的承运人或船长。



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1. pre-carriage by 首程运输
2. combined transport—place of receipt/delivery 多式联运收货地/交货地
3. delivery agent/forwarding agent 运输代理公司
4. rates, weight and /or measurement subject to correction 费率、重量和/或体积以修改为准
5. received for shipment in apparent good order and condition 货物装船时表面状况良好



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1. Full set of clean shipped on board Ocean Bills of Lading, made out to order and blank endorsed, marked “ Freight Prepaid ” and notify applicant.

全套清洁的已装船提单，做成空白抬头，空白背书，标明“运费预付”，通知申请人。

2. Bill of Lading consigned to the order of the issuing bank.

提单做成凭开证行指示为抬头。

3. B/L showing invoice value, unit price, trade terms, contract No., proforma invoice No. and No. of the L/C is unacceptable.

不接受有发票金额、单价、价格术语、合同号码、形式发票号码和信用证号码的提单。



4. Clean, on board Bill of Lading full set issued to the order and blank endorsed, showing final destination, freight payable on destination。

整套清洁已装船提单，做成空白抬头，空白背书，说明最终目的地，运费到付。

5. Shipping company's certificate or their agents' certificate stating that the carrying vessel belongs to the conference or regular line.

船运公司或其代理出具证明，证明装载货轮属于班轮公会或常规运输公司。



运输提单种类

Transport Document

运输单据

Combined Transport Documents (CTD)

多式联运单据

Shipping Documents

装船单据

On Board B/L

已装船提单

Shipped B/L

已装船提单

Received for Shipment B/L

备运提单

Direct B/L

直达提单

Transshipment B/L

转船提单



Through B/L

联运提单

Clean B/L

清洁提单

Unclean B/L or Foul B/L

不清洁提单

Straight B/L

记名提单

Open/Blank B/L

不记名提单

Bearer B/L

不记名提单/持有人提单/来人提单

Order B/L

指示提单

Long Form B/L

全式提单



Short Form B/L

简式提单

On Deck B/L

舱面提单

Stale B/L

过期提单

Ante Dated B/L

倒签提单

Advanced B/L

预借提单

Freight at Destination B/L

运费到付提单

Freight Prepaid B/L

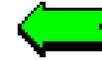
运费预付提单



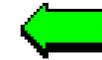
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# Some Terms of Bill of Lading in L/C

**Practice**



**Answer of the Practice**



THANK YOU

