



## 兆豐產物船舶保險 - General Average Absorption Clause

### GENERAL AVERAGE ABSORPTION CLAUSE

1. If the Assured does not claim general average, salvage or special charges from cargo, freight, bunkers, containers or any property not owned by the Assured on board the vessel (hereinafter called "Property Interests"), the Insurers shall pay in full the general average, salvage and special charges up to 5% of the insured value of the vessel or \_\_\_\_\_ whichever is the higher. The 5% of the insured value of the vessel or the US\$ sum agreed under this clause shall not be less than \_\_\_\_\_
- 1.1 The Insurers shall also pay the reasonable fees and expenses of the average adjuster for calculating claims under this clause in addition to any payment made under 1. above.
- 1.2 If the Assured claims under this clause he shall not make any claim for general average, salvage or special charges against the Property Interests.
- 1.3 Claims under this clause shall be adjusted in accordance with the York-Antwerp Rules 1994, excluding the first paragraph of Rule XX and Rule XXI, relating to commission and interest.
- 1.4 Claims under this clause shall be payable without application of the deductible.
- 1.5 Without prejudice to any defences they may have under the terms of the policy the Insurers waive any defences to payment under this clause which would have been available to the Property Interests.
- 1.6 In respect of payment made under this clause the Insurers waive any rights of subrogation they may have against the Property Interests. This waiver shall not apply where the incident giving rise to such payment is attributable to fault on the part of Property Interests.
- 1.7 For claims under this clause the vessel shall be deemed to be insured for its full contributory value.