

ICC Banking Commission

OPINIONS

2009–2011

New Opinions on

UCP 600, ISBP 681, UCP 500,
URC 522 and URDG 758

ICC BANKING COMMISSION OPINIONS 2009 - 2011

**New Opinions on UCP 600, ISBP 681, UCP 500,
URC 522 and URDG 758**

Edited by Gary Collyer and Ron Katz

Copyright © 2012

International Chamber of Commerce (ICC)

=77\`c`XgU`Wdmi[\`hUbXch`Yf`]bH`YMi`U`dfcdYfmf[\`lg`b`h`lgkcf_`"Bc`dUfhcZh`lgkcf_`a`UnW`
fYdfcXi`WXZ\gf\Vi`hXZh`Ubg`]hXZh`Ubg`U`X`cf`U`d`h`X`]b`Ubn`Z`fa``cf`Vn`Lbma`Y`bg`Yl`WdhUg`
dYfa`]hX`Vm`Uk`zk`]h`ci`h`h`Y`k`f`]h`b`d`Yfa`]gg`cb`c`Z`=77"

Permission can be requested from ICC through di.V@iccwbo.org or [W@Vc"cf](mailto:W@Vc)

ICC Services

Publications Department

33-43 avenue du Président Wilson

75116 Paris

France

ICC Publication No. 732E

ISBN: 978-92-842-0236-2

PREFACE

This latest volume of ICC Banking Commission Opinions contains all of the Opinions decided by the Commission during the years 2009-2011. This is the latest in a celebrated series of Commission Opinions books dating back more than four decades.

The previous volume, which covered the years 2005-2008, was published only a year after the latest version of the *Uniform Customs and Practice for Documentary Credits* (UCP 600), came into effect. As a consequence, the majority of Opinions in that book still referenced UCP 500, the previous version of the rules, which dated from 1993.

By contrast, the present volume is heavily slanted toward Opinions on UCP 600. No doubt this is a measure of how well the latest revision of the UCP has taken hold. Widely praised for the clarity and precision of its language, its new structure – particularly article 2 which defines the most common terms used in documentary credits – and its recognition of the key changes having taken place in trade finance, UCP 600 has become the standard text practitioners adhere to when framing transactions using letters of credit.

But as with any rules, no matter how precise, there will always be questions concerning how they are to be applied in daily practice. These Opinions, along with another essential ICC publication, *International Standard Banking Practice for the Examination of Documents under Documentary Credits* (ISBP 681), fills in the details that the UCP, being more general in nature, cannot always provide. Practitioners should note, however, that the Opinions in this volume respond to specific questions raised by queries submitted to the Banking Commission, and the conclusions may be limited to the facts of a particular case.

As in previous volumes, the current publication contains Opinions on other ICC rules as well. Apart from the UCP and ISBP, there are also Opinions on the *Uniform Rules for Collections* (URC 522), the *Uniform Rules for Bank-to-Bank Reimbursements* (URR 725) and the *Uniform Rules for Demand Guarantees* (URDG 758). The latter were revised in 2010, and the current volume contains the first Opinions issued under URDG 758.

I commend this volume to trade finance practitioners everywhere.



Gary Collyer
Technical Adviser
ICC Commission on Banking Technique and Practice
June 2012

TABLE OF CONTENTS

PREFACE	3
OPINIONS ON UCP 600	7
OPINIONS ON ISPB 681	109
OPINIONS ON UCP 500	125
OPINIONS ON URC 522	133
OPINIONS ON URDG 758	137
INDEXES	141
Cross-reference index from “TA” to “R” numbered Opinions	142
Indexes by “R” reference numbers and articles	145
Key-word indexes	149
APPENDICES	156
ICC Uniform Customs and Practice for Documentary Credits	157
International Standard Banking Practice for the Examination of Documents under Documentary Credits (ISPB 681) .	185
The Determination of an “Original” Document in the Context of UCP 500 sub-article 20(b)	222
ICC at a Glance	227
Some ICC Specialized Divisions	228
ICC Publications For Global Business	229