

## **The New Jason Clause and The Both to Blame Collision Clause** **adopted by the Documentary Committee of The Japan Shipping Exchange, Inc.**

### **New Jason Clause**

In the event of accident, danger, damage or disaster before or after the commencement of the voyage, resulting from any cause whatsoever, whether due to negligence or not, for which, or for the consequences of which, the carrier is not responsible, by statute, contract or otherwise, the Goods, shipper, consignee or owner of the Goods shall jointly and severally contribute with the Carrier in General Average to the payment of any sacrifice, losses or expenses of a General Average nature that may be made or incurred and shall pay salvage and special charges incurred in respect of the Goods. If a salving ship is owned or operated by the Carrier, salvage shall be paid for as fully and in the same manner as if the said salving ship or ships belonged to strangers. Such deposit as the Carrier or his agents may deem sufficient to cover the estimated contribution of the goods and any salvage and special charges thereon shall, if required, be made by the Goods, shipper, consignee or owner of the goods to the Carrier before delivery.

### **Both to Blame Collision Clause**

If the Vessel comes into collision with another ship as a result of the negligence of the other ship, and any act, neglect or default of the Master, mariner, pilot or the servants of the Carrier in the navigation or in the management of the Vessel, the owners of the Goods carried hereunder shall indemnify the Carrier against all loss or liability which might be incurred directly or indirectly to the other or non-carrying ship or her owner in so far as such loss or liability represents loss of or damage to his Goods or any claim whatsoever of the owner of the said goods, paid or payable by the other or non-carrying ship or her owner to the owner of the said goods and set-off, recouped or recovered by the other or non-carrying ship or her owner as part of his claim against the carrying Vessel or the Carrier. The foregoing provisions shall also apply where the owner, operators or those in charge of any ship or ships or objects other than, or in addition to, the colliding ships or objects are at fault in respect of a collision or contact.