

Rule VI Salvage Remuneration

- (a) Except as provided in sub-rules VI (b) and (c) expenditure incurred by the parties to the adventure in the nature of salvage, whether under contract or otherwise, shall be allowed in General Average provided that the salvage operations were carried out for the purpose of preserving from peril the property involved in the common maritime adventure.
- (b) Salvage payments including interest and legal costs shall not be allowed in General Average if they exceed x per cent of the total sums allowable in general average if salvage were included. The foregoing shall not apply where salvage payments have been paid by one party on behalf of all salvaged interests.
- (c) If one party to the salvage shall have paid a proportion of salvage payments (including interest and legal costs) due from some, but not all, of the salvaged interests (calculated on the basis of salvaged values and not General Average contributory values), the unpaid contribution to salvage due from the other parties plus interest pursuant to Rule XXI shall be credited in the adjustment to the party that has paid it, and debited to the party on whose behalf the payments were made.
- (d) Salvage payments referred to in this Rule VI shall include any salvage remuneration in which the skill and efforts of the salvors in preventing or minimising damage to the environment such as is referred to in Art. 13 paragraph 1(b) of the International Convention on Salvage 1989 have been taken into account.
- (e) Special compensation payable to a salvor by the shipowner under Art. 14 of the said Convention to the extent specified in paragraph 4 of that Article or under any other provision similar in substance (such as SCOPIC) shall not be allowed in General Average and shall not be considered a salvage payment as referred to in this Rule.
- (f) For the purpose of applying this Rule VI the term “salvage payments” shall mean payments made in respect of salvage services and for which there is contractual and/or legal provision for apportionment and payment between the salvaged interests upon termination of the salvaged services independent of these Rules.

Delete Rule XI (c) (i) & (ii) of YAR 2004 and replace with

Rule XI (c)

- (i) When a ship shall have entered or been detained in any port or place in consequence of accident, sacrifice or other extraordinary circumstances which render that necessary for the common safety, or to enable damage to the ship caused by sacrifice or accident to be repaired, if the repairs were necessary for the safe prosecution of the voyage, the wages and maintenance of the master, officers and crew reasonably incurred during the extra period of detention in such port or place until the ship shall or should have been made ready to proceed upon her voyage shall be allowed in general average. Fuel and stores

consumed during the extra period of detention shall be allowed as general average, except such fuel and stores as are consumed in effecting repairs not allowable in general average.

- (ii) Port charges incurred during the extra period of detention shall likewise be allowed as general average except such charges as are incurred solely by reason of repairs not allowable in general average.
- (iii) Provided that when damage to the ship is discovered at a port or place of loading or call without any accident or other extraordinary circumstance connected with such damage having taken place during the voyage, then the wages and maintenance of master, officers and crew and fuel and stores consumed and port charges incurred during the extra detention for repairs to damages so discovered shall not be allowable as general average, even if the repairs are necessary for the safe prosecution of the voyage.
- (iv) When the ship is condemned or does not proceed on her original voyage, the wages and maintenance of the master, officers and crew and fuel and stores consumed and port charges shall be allowed as general average only up to the date of the ship's condemnation or of the abandonment of the voyage or up to the date of completion of discharge of cargo if the condemnation or abandonment takes place before that date.

Rule of Application

These York Antwerp Rules 2012 shall be considered to be an amendment or modification of previous versions of the York Antwerp Rules. Notwithstanding the foregoing, these York Antwerp Rules 2012 shall not apply to contracts of carriage entered into before the formal adoption of the Rules.