**Bài tập 4:** Công ty **XYZ (Ukraine)** đồng ý **mua** **5000 tấn** gạo **5% tấm** của công ty **ABC (Việt Nam)** theo giá **360 USD/MT**. **FOB cảng Sài Gò**n. Hàng được đóng trong các bao **Polyprotylene** có trọng lượng tịnh **50kg/bao**. Thời hạn **giao hàng** trong **tháng 10/2011**. Thanh toán theo **L/C trả ngay**.

Trên cương vị là người xuất khẩu, soạn thảo các điều khoản Tên hàng, số lượng, Chất lượng, Bao bì, Kí mã hiệu, Giá cả, Giao hàng, Bảo hiểm, Thanh toán của hợp đồng nêu trên.

**Bài làm**

1. **COMMODITY**: Viet Nam white rice long grain, 5% broken, crop in 2011.
2. **QUANTITY**: 5,000 MTS ± 1% (at seller’s option)
3. **QUALITY**: As sample submitted by the seller, signed and sealed by both parties, No 20AB, date 29th Sep, each party keeps one. The sample is a part not separate from this contract.
4. **PRICE**:
* Unit price: USD360/ MT. FOB Sai Gon port, Incoterms® 2010
* Total amount: USD 1,800,000 ± 1%
* Say: one million eight hundred thousand US Dollars only.
1. **PACKING:** Packed in uniform new single polypropylene bags of 50 kgs net weight with tare weight of 150grs each, double machine sewn at the mouth strong and suitable for the export and able to withstand ordinary wear and tear to port of destination.

SHIPPING MARK: - White rice long grain

 - Made in Viet Nam

 - Net weight: 50kgs

 - Gross weight: 50.150 kgs

 USE NO HOOKS

 One side printed in green color.

1. **SHIPMENT:**

Time of shipment : In October 2011

Port of loading: Sai Gon port (Viet Nam)

Partial shipment: not allowed

Inspection: Shipped weight and quality at the load port by Vinacontrol to be final.

Notice of shipment:

* One (01) day before the sailing date of carrying vessel to Viet Nam, the Buyer shall notify by cable or fax to the Seller the following information:

+ Name, number and nationality of the vessel;

 + Deadweight Capacity (DWC);

 + Draught;

 + ETD/ ETA;

* Within 1 day after B/L date, the seller shall notify by cable or fax to the buyer the following information:

 + Name and number of the vessel;

 + B/L number and date;

 + L/C number and date;

 + Commodity, Quantity and Quality of goods;

- Loading terms:

 At the load port, the cargo is to be loaded by the seller at the rate of 800 MTS per weather working days of 24 consecutive hours, Sunday and holidays excepted even if used (WWDSHEXEIU). If the notice of readiness (N.O.R) is presented before 12:00, laytime to commence at 13:00 the same day. If N.O.R is given after 12:00, laytime to commence from 6:00 AM on the next working day.

Dunnage to be for the buyer / shipowner’s account.

Shore tally at the seller’s account and on board vessel tally at buyer/ shipowner’s account.

Demurrage / Despatch: USD 2000/ half.

1. **PAYMENT:** By Irrevocable L/C at sight 100% of invoice value to the seller’s account.
* Name of beneficiary: ABC Company.
* No: 0271000380520 at Vietcombank Ho Chi Minh city branch.
* Issuing bank: Ukraine Eximbank
* Advising bank: Vietcombank, Ho Chi Minh city branch.
* Date of issue: within 7 days from the signing date of this contract.
* Date and place of expiry: Nov 21st 2011 in Ukraine.
* Period of presentation: within 21 days after B/L date but within the validity of credit
* Documents required:

 + Signed Commercial Invoice in triplicate

 + 3/3 (full set)of originals clean B/L on board marked **FREIGHT COLLECT** made out to order of Ukraine Eximbank and notify the Buyer.

 + One(1) original and two(2) copies Certificate of Quantity, Weight and Quality issued by Vinacontrol.

 + One(1) original and two(2) copies Certificate of Origin issued by Vietnam Chamber of Commerce and Industry in Ho Chi Minh city.

 + One(1) original and two(2) copies Phytosanitary Certificate issued by Plant Protection Department – Vietnam

 + One(1) original and two(2) copies Certificate of Fumigation issued by Vietnam Fumigation Company.

 + Packing list in triplicate.

 + **Certificate of vessel’s Hactch cleanliness issued by Vinacontrol.**

 + Beneficiary’s Certificate that one full set of non-negotiable shipping documents have been sent by DHL to the buyer.

 + Bill of Exchange.

1. **INSURANCE:** To be covered by the buyer.