

TO ALL OWNERS AND MEMBERS

3 November 2023

Electronic (Paperless) Trading – WAVE BL: Update to Wave BL Network Bylaws to version 2.0 dated 1 November 2023

Owners and members are referred back to the [2020 Circular](#) confirming approval of WAVE's electronic trading system.

The International Group (the 'Group') had previously approved WAVE. The legal documentation and terms of use associated with WAVE are held in the Wave Application and Network Bylaws, version 1 dated 20 December 2019 ('Wave Bylaws version 1'). This version continues to be approved.

This notice confirms approval by the Group of an updated version of the Wave Bylaws. This version is called Wave BL Network Bylaws dated 1 November 2023 ('Wave Bylaws version 2.0') and supersedes Wave Bylaws version 1 which remains approved for the purposes of club cover. WAVE BL Bylaws 2.0 shall come into force on 1 December 2023.

Owners/members are asked to note the following:

The changes within Wave Bylaws version 2.0 include a number of amendments which have been introduced as drafting improvements.

The below summarises some of the key changes, but is not an exhaustive list of amendments:

1. There is a new definitions section at the beginning, which has meant numerous sections later in the document being deleted where definitions are now at the beginning.
2. There have been various drafting changes to reduce the overall length of the Bylaws and simplify / clarify the original clauses.
3. New terms have been added, and related definitions and clauses, which will allow the system to be more accessible to a broader range of parties at different stages of the electronic bill of lading, including freight forwarders, NVOCCs and agents.
4. Warranties of authority have been provided for, particularly in relation to point 3. above.
5. Changes to the clauses that imitate the UK's Carriage of Goods by Sea Act 1992 ('COGSA 92'), to bring the Bylaws even more closely into line with COGSA 92.



Other exclusions of cover under Group club rules relating to the carriage of cargo will of course continue to apply in respect of all the approved providers in the same way as for paper systems. These exclusions include discharge at a port or place other than the port or place provided for in the contract of carriage, the issue / creation of an ante or post-dated electronic document / record, and the delivery of cargo without the production of the negotiable electronic document / record, which in the case of an approved electronic trading system will mean delivery of cargo other than in accordance with the rules of that trading system.

All clubs in the Group are issuing a similar circular.

Yours faithfully

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