

《跟单信用证统一惯例（UCP600）》（十四）PDF转换可能丢失图片或格式，建议阅读原文

https://www.100test.com/kao_ti2020/38/2021_2022__E3_80_8A_E8_B7_9F_E5_8D_95_E4_c32_38486.htm Article 16 Discrepant Documents, Waiver and Notice

第十六条 不符单据及不符点的放弃与通知

a. When a nominated bank acting on its nomination, a confirming bank, if any, or the issuing bank determines that a presentation does not comply, it may refuse to honour or negotiate.

a. 当按照指定行事的被指定银行、保兑行（如有）或开证行确定提示不符时，可以拒绝兑付或议付。

b. When an issuing bank determines that a presentation does not comply, it may in its sole judgement approach the applicant for a waiver of the discrepancies. This does not, however, extend the period mentioned in sub-article 14 (b).

b. 当开证行确定提示不符时，可以依据其独立的判断联系申请人放弃有关不符点。然而，这并不因此延长14条（b）款中述及的期限。来源：www.examda.com

c. When a nominated bank acting on its nomination, a confirming bank, if any, or the issuing bank decides to refuse to honour or negotiate, it must give a single notice to that effect to the presenter.

c. 当按照指定行事的被指定银行、保兑行（如有）或开证行决定拒绝兑付或议付时，必须一次性通知提示人。

The notice must state: 通知必须声明： i. that the bank is refusing to honour or negotiate. and i. 银行拒绝兑付或议付；及 ii. each discrepancy in respect of which the bank refuses to honour or negotiate. and ii. 银行凭以拒绝兑付或议付的各个不符点；及 iii. a) that the bank is holding the documents pending further instructions from the

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presenter. or iii. a) 银行持有单据等候提示人进一步指示；或 b) that the issuing bank is holding the documents until it receives a waiver from the applicant and agrees to accept it, or receives further instructions from the presenter prior to agreeing to accept a waiver. or b) 开证行持有单据直至收到申请人通知弃权并同意接受该弃权，或在同意接受弃权前从提示人处收到进一步指示；或 c) that the bank is returning the documents. or c) 银行退回单据；或 d) that the bank is acting in accordance with instructions previously received from the presenter. d) 银行按照先前从提示人处收到的指示行事。 d. The notice required in sub-article 16 (c) must be given by telecommunication or, if that is not possible, by other expeditious means no later than the close of the fifth banking day following the day of presentation. d. 第十六条（c）款中要求的通知必须以电讯方式发出，或者，如果不可能以电讯方式通知时，则以其它快捷方式通知，但不得迟于提示单据日期翌日起第五个银行工作日终了。 e. A nominated bank acting on its nomination, a confirming bank, if any, or the issuing bank may, after providing notice required by sub-article 16 (c) (iii) (a) or (b), return the documents to the presenter at any time. e. 按照指定行事的被指定银行、保兑行（如有）或开证行可以在提供第十六条（c）款（iii）、（a）款或（b）款要求提供的通知后，于任何时间将单据退还提示人。 f. If an issuing bank or a confirming bank fails to act in accordance with the provisions of this article, it shall be precluded from claiming that the documents do not constitute a complying presentation. f. 如果开证行或保兑行未能按照本条款的规定行事，将无权宣称单据未能构成相符提示

。来源：www.examda.com g. When an issuing bank refuses to honour or a confirming bank refuses to honour or negotiate and has given notice to that effect in accordance with this article, it shall then be entitled to claim a refund, with interest, of any reimbursement made. g. 当开证行拒绝兑付或保兑行拒绝兑付或议付，并已经按照本条款发出通知时，该银行将有权就已经履行的偿付索取退款及其利息。 100Test 下载频道开通，各类考试题目直接下载。详细请访问 www.100test.com