

AWRIS

Missing Vessel Clause

In the event of the vessel(or one of the vessels) named in this policy being advised as “untraced” or posted at Lloyd’s as “missing” whilst in the territorial waters of the countries or places or any other waters described in the current List of Areas Perceived Enhanced Risk as may be published from time to time by the Joint War Committee, and it is reasonable from the surrounding facts and circumstances and such inferences as may reasonably be drawn from them to believe that the vessel is “missing” due to the occurrence of a war peril insured hereon, this policy shall pay the sum insured in respect of that vessel within 90 days of presentation of proper documents. Under no circumstances will this policy pay more than the sum insured for war risks under this policy. In consideration of such payment, war risk underwriters shall be subrogated to all rights and remedies that the assured may have against marine underwriters and any third party. The assured shall co-operate fully with war risk underwriters in pursuit and settlement of such subrogated claims and shall promptly furnish underwriters with all necessary documentation and assistance including the commencement of proceedings.

If within 90 days of presentation of proper documents underwriters produce any evidence including but not limited to evidence of bad weather which suggests that the loss is not covered under this policy, underwriters shall be under no obligation to make payment under this “Missing Vessel Clause” and the burden shall then rest with the assured to prove that the loss was proximately caused by a peril insured under this policy.

No claim shall attach under this clause unless the assured has given war underwriters prior written notice of a voyage or deviation that would involve the vessel entering any of the waters described in the said List and has complied with any amended terms of cover or paid any additional premium which may be required by underwriters as a result of such notification.