



COMMERZBANK



“Insurance document in duplicate” – “Duplicate of insurance document”

Just a play on words or different terminologies in the context of letter of credit documents?

There are many different wordings for the number of documents required under letters of credit. Here are a few examples:

- Invoice in **one original and two copies**
- **Full set** of clean bills of lading
- **A copy** of beneficiaries shipment advice sent to ...
- Packing list **in three copies**
- Insurance document **in duplicate**

What does “in duplicate” mean in this context? Are two originals of the insurance document required or would the presentation of one original and one copy be sufficient?

And what happens if presented documents are marked as “DUPLICATE”?

With the current issue of top@doc we want to show the difference in the wordings and elaborate on a special feature in the presentation of duplicates when processing letters of credit.

In the context of originals and copies of documents, sub-article 17 (e) of the “ICC Uniform Customs and Practice for Documentary Credits UCP 600” states:

“If a credit requires presentation of multiple documents by using terms such as “in duplicate”, “in two fold” or “in two copies”, this will be satisfied by the presentation of at least one original and the remaining number in copies, except when the document itself indicates otherwise.”

The question of what “in duplicate” means regarding the number of documents required in a letter of credit can therefore be answered quite quickly and easily as written above. In the above example of the insurance document, the presentation of an original and a copy would also be sufficient – except, as stated in UCP 600 sub-article 17 (e), when the document itself indicates otherwise. If, for example, a presented insurance document indicates that it was issued in two originals, both originals must be presented. In this case, the presentation of an original and a copy would not be sufficient.

It becomes a little more complex when we consider the question of what happens if presented documents are marked as “DUPLICATE”.

Initially, the marking of a document as “DUPLICATE” has nothing to do with the question of whether or not the presentation of such a document satisfies the number of documents to be presented as required in a letter of credit.

When a document is marked as a duplicate, the question of whether the document is an original or a copy arises upon checking of letter of credit documents.

A duplicate is the duplication of a document, i.e. a duplicate can be a second issue of a document, but it can also be a copy. In the case of insurance documents and sometimes also in the case of the bill of lading, it is a designation for the second original. The ISBP (“International Standard Banking Practice for the Examination of Documents under UCP 600”) state in paragraph A 28 – again in the context of originals and copies – that documents issued in more than one original may be marked “Original”, “Duplicate” etc. and that the marking “Duplicate” will not disqualify a document as an original.

UCP 600 requires that all originals must be presented when the insurance document indicates that it has been issued in more than one original. Therefore, if a presented insurance document is marked as a duplicate, in the example above two originals (one being marked ORIGINAL, one being marked DUPLICATE) must then have been presented.

Why is it then sufficient to present just a duplicate under a letter of credit in the case of the **duplicate** rail waybill, which is common in rail transport?

The duplicate of a rail waybill is a carbon copy of the international rail waybill. In cargo contracts for rail transport, this document is issued for any consignment in cross-border freight transport. The original rail waybill accompanies the consignment and is handed over to the consignee. As proof of dispatch, the consignor receives the duplicate of the rail waybill stamped by the railway company at the forwarding station or provided with the railway company’s computerised booking imprint.

This explains why UCP 600 sub-article 24 (b) (ii.) contains the regulation that, in the case of a rail transport document, a duplicate will be accepted as an original.

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