



## **INCORPORATION OF STC'S**

In order for ICTSI to be able to rely on its STCs, it is necessary for ICTSI to be able to show that the STCs have been properly "incorporated" into the contract. STCs must be incorporated at the time of the formation of the contract. Efforts to incorporate STCs after the contract has been concluded are ineffective, unless of course both parties agree expressly that they shall apply.

### **How should the STCs be incorporated?**

**Notice** -In the context of a container terminal, where a number of third parties enter the terminal, it is important to ensure their access to the container terminal is granted subject to the ICTSI STCs. This can usually be achieved by: (i) displaying a notice in/on the approach road to the gatehouse/booking office that STCs apply and making copies available on request; (ii) printing a copy of the STCs on the reverse of all receipts/documents used to acknowledge receipt or release of containers (e.g. EIRs) (stating on the front of the receipt/document that there are STCs on the reverse) or on commercial documents issued in the normal course of ICTSI's business; (iii) printing a copy of the STCs on the reverse of any visitor permit issued and/or incorporating the STCs by reference on any visitor permit application; and (iv) handing over a copy of the STCs to any visitor. Also, each terminal should make its STCs available on its web page.