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ICC Banking Commission

Digital Commercialisation Briefing Paper No. 3 Subject: eUCP SWIFT MT700 format

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Appendix to eUCP Version 2.1 - eUCP SWIFT MT700 Format

Guidance

Pursuant to the alignment of eUCP Version 2.0 with MLETR, it was acknowledged that there would be benefit in drafting a template for documentary credits subject to the latest version, eUCP Version 2.1.

Accordingly, recommendations for MT700 Field Specifications for a credit subject to eUCP Version 2.1 have been compiled and are listed below.

International Standard Banking Practice

As stated in ISBP 821 Preliminary Considerations (iv), careful drafting of the credit between the respective parties is key to ensuring that the preparation, presentation and examination of documentation proceeds without issue. Numerous sources over the years, including ICC Opinions, have highlighted the consequences that can arise from poorly or badly drafted credits. Additionally, credits which contain excessive details and/or have included terms which only belong in an

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underlying agreement/contract have caused unintended consequences and payment delays. Knowledge of, and attention to, the ISBP supports effective processing of documentary credits.

Terms and Conditions

The applicant and beneficiary should carefully consider the documents required for presentation, by whom they are to be issued, their data content and the time frame in which they are to be presented. Documentary credits must not include wording that is ambiguous or subject to more than one interpretation, nor should they state conditions for which fulfilment cannot be ascertained from the face of a document. Only documents that are necessary (e.g. for customs clearance purposes) should be required by the credit.

SWIFT MT700 Field recommendations

Please note that SWIFT standards (including but not limited to individual field length, character type etc.) must be adhered to. For more information please refer to the underlying <u>SWIFT standards for the MT7 series messages</u>. (Note that these standards may change over time and ICC advises to consult the current SWIFT standards).

SWIFT MT700 Field	Comment and Guidance
:40A: FORM OF DOCUMENTARY CREDIT IRREVOCABLE / TRANSFERABLE / STANDBY	UCP 600 no longer covers revocable credits. As such, it is expected that the term 'irrevocable' will always be relevant. Additional need for 'transferable' will derive from the buyer/seller agreement.

:20: DOCUMENTARY CREDIT NUMBER [DOCUMENTARY CREDIT NUMBER]	Issuing Bank unique reference number.
:31C: DATE OF ISSUE YYMMDD	Date that the issuing bank considers the documentary credit to have been issued.
:40E: APPLICABLE RULES 1 EUCP LATEST VERSION or 2 EUCPURR LATEST VERSION	1 The credit is subject to the version of the Supplement of the ICC Uniform Customs and Practice for Documentary Credits for Electronic Presentations, International Chamber of Commerce, Paris, France, which is in effect on the date of issue. or 2 The credit is subject to the version of the Supplement of the ICC Uniform Customs and Practice for Documentary Credits for Electronic Presentations, International Chamber of Commerce, Paris, France, which is in effect on the date of issue. The reimbursement is subject to the version of the Uniform Rules for Bank-to-Bank Reimbursements, International Chamber of Commerce, Paris, France, which is in effect on the date of issue. Consideration should be given as to whether the eUCP can apply for all or part of the presentation of the documents. It must be noted that eUCP accommodates presentation of solely electronic records or in combination with paper documents.
:31D: DATE AND PLACE OF EXPIRY YYMMDD [PLACE / COUNTRY]	Ensure that this field complements field 41A. Recommended that expiry be in the country of the beneficiary.

:50: APPLICANT	It is recommended to avoid, when possible, inserting additional contact details such
[NAME AND ADDRESS OF	as telephone number and e-mail address - these will already be known between the
APPLICANT]	applicant and the beneficiary.
:59: BENEFICIARY	It is recommended to avoid, when possible, inserting additional contact details such
[NAME AND ADDRESS OF	as telephone number and e-mail address - these will already be known between the
BENEFICIARY]	applicant and the beneficiary.
:32B: CURRENCY CODE,	The amount inserted in this field should represent that which is due to the
AMOUNT	beneficiary upon one or more complying presentations being made under the
[CURRENCY AND AMOUNT]	documentary credit.
:39A: PERCENTAGE CREDIT	Optional field – take note of UCP 600 article 30
AMOUNT TOLERANCE	
:41A: AVAILABLE WITH	This field should correspond with data appearing in field 31D.
[NAME OF NOMINATED BANK] BY PAYMENT	Consideration should be given as to how the credit will be made available. Some
or	banks may not accept eUCP transactions that are available with any bank,
BY DEF (deferred) PAYMENT	particularly if the method of presentation is via email.
or	particularly in the method of presentation is via email.
BY NEGOTIATION	It is recommended that banks issue usance documentary credits available by
	deferred payment as an alternative to availability by acceptance of a draft, unless
	there is a specific commercial, regulatory or legal reason to create a banker's
	acceptance. It is to be noted that eUCP allows for negotiating drafts and/or
	documents (electronic records).

:42C: DRAFTS AT TENOR OF DRAFT	Optional field – When used, fields 42C and 42a must both be present.
	As stated in the <u>ICC Guidance Paper on the use of drafts</u> — it is recommended that the habit of requiring a draft for a documentary credit available at sight be curtailed, particularly sight drafts drawn on an issuing bank, confirming bank, or a bank nominated to pay, unless required for a specific commercial, regulatory or legal reason.
:42A: DRAWEE DRAWEE OF DRAFT	Optional field – The drawee must be a bank. If drafts on the applicant are required, they are to be listed as documents in field 46A.
:43P: PARTIAL SHIPMENTS	Optional field – UCP 600 sub-article 31 (a) highlights that partial shipments (or drawings) are permitted. Therefore, this field need not be completed if any number of partial shipments are allowed. There is now the option of a new code word 'CONDITIONAL'. In the event "CONDITIONAL" is used, specific details will need to be added in field 47A.
:43T: TRANSSHIPMENT	Optional field - when a multimodal transport document is to be presented, the credit must not prohibit transhipment. There is now the option of a new code word 'CONDITIONAL'. In the event "CONDITIONAL" is used, specific details will need to be added in field 47A.
:44C: LATEST DATE OF SHIPMENT	Optional field but recommended - ensure that the latest date of shipment corresponds with the presentation period and date of expiry (field 31D): latest date
YYMMDD	of shipment + presentation period (21 days) = expiry date understanding that if this

	is not calculated properly, the presentation period may be curtailed as all
	presentations must be made on or before the expiry date.
:45A: DESCRIPTION OF GOODS	Optional field but recommended - keep the goods description as short and concise
[BRIEF DESCRIPTION OF GOODS	as possible.
AND THE AGREED TRADE	
TERMS]	Lengthy details actually provide little or no protection to an applicant in relation to
	the goods that will be received as banks do not verify the goods in any manner.
:46A: DOCUMENTS REQUIRED	Optional field but recommended
(DESCRIPTION OF ANY	Limit to only those documents that are absolutely essential. Remember that
DOCUMENTS REQUIRED)	banks deal with documents and not with goods, services or performance to
	which the documents may relate. Any issues with goods, services or
	performance are outside the scope of UCP 600 and eUCP Version 2.1.
	Ensure the document/electronic records descriptions are as simple as
	possible whilst still meeting any necessary contractual requirements.
	 For documents not specifically mentioned in UCP 600 and/or ISBP 821,
	provide the name of the issuing entity and describe, in clear and precise
	wording, the required content.
	If feasible, it is recommended that documentary requirements be limited to
	an invoice and transport document. Any additional documents should be
	sent directly by the seller to the buyer, outside of the credit unless necessary
	as per the local guidelines.
	 For documents specifically mentioned in UCP 600 and/or ISBP 821, it is only
	necessary to state requirements that are not already mentioned in UCP
	600/ISBP 821. For example, do not state "Full set clean on-board original
	multimodal bill of lading" – but simply "multimodal bill of lading".

• For documents specifically mentioned in UCP 600 and/or ISBP 821, avoid adding further requirements that modify or exclude articles or paragraphs. For example, do not require that the invoice must be "signed" unless that is absolutely necessary.

Ensure that electronic records of the following documents state the acceptable format:

- 1) Invoice (minimum data requirement governed by UCP article 18)
- 2) Transport document (minimum data requirement governed by UCP articles 19-25)
- 3) Insurance certificate (only if required as per the sales contract, minimum data requirements governed by UCP article 28)
- 4) Certificate of origin issued by a chamber of commerce or beneficiary showing origin of goods (only if required)

In accordance with eUCP Version 2.1 article e9, any document being presented electronically should be stated as "one electronic record", and submission of multiple originals/copies should be avoided. In situations where multiple originals/copies are requested, the presentation of one electronic record will still suffice.

In accordance with eUCP Version 2.1 article e5, the credit must indicate the format of each required electronic record. If the format is not indicated, the electronic record may be presented in any format.

In order to ensure compliance with eUCP Version 2.1 sub-article e6 (c) (i), it is strongly recommended that requirement be made for a notice of completeness to be

	submitted, indicating the name of the issuer. In any case, in accordance with subarticle e6 (c) (i), a notice of completeness must be provided by the presenter. In conjunction with this, a clause would be required stating that any notice of refusal in relation to a presentation will be made solely to the issuer of the notice of completeness. For clarity, issuing banks may wish to call for a notice of completeness in field 46A or field 47A explicitly. The presentation of documents of title such as bills of lading needs to be carefully considered as, at the current time, electronic presentation of originals is not acceptable in a number of jurisdictions. Each presented electronic record should evidence its date of issuance in accordance with eUCP Version 2.1 article 10.
:47A: ADDITIONAL CONDITIONS (CONDITIONS THAT WILL APPLY TO THE CREDIT BUT DO NOT RELATE TO THE DESCRIPTION OF THE GOODS AND/OR SERVICES OR TO THE CONTENT OF A DOCUMENT)	Optional field – all documentary requirements should be accommodated in field 46A. Only add additional conditions when absolutely necessary and avoid including requirements that modify or exclude articles and paragraphs in UCP 600 or eUCP Version 2.1.
THIS FIELD SHOULD VERY CLEARLY MENTION THE	Avoid adding generic requirements that are to apply to all presented documents. For example, "all documents to indicate credit number and date, and name of issuing bank".

ELECTRONIC RECORDS SUBMISSION DETAILS.

Issuing banks should refrain from using redundant additional conditions that are frequently used in UCP 600 credits.

For example, "3rd party documents not accepted", "the amount of each drawing must be endorsed on the reverse of this credit", "all documents must be manually signed", etc.

If not already included in a field above, an issuing bank must include its physical address in accordance with eUCP Version 2.1 sub-article e1 (d).

Examples of clauses allowing electronic presentation of documents using SWIFT FileAct OR a third-party platform are as below:

DOCUMENTS ARE TO BE PRESENTED AS ELECTRONIC RECORDS TO THE FOLLOWING ADDRESS USING SWIFT FILEACT FUNCTIONALITY: SWIFT.GENERIC.FAST SERVICE: [DISTINGUISHED NAME OF ISSSUING BANK] DOCUMENTS TO BE PRESENTED AS A .ZIP FOLDER FILE CONTAINING INDIVIDUAL .PDF OR .TIF FILES.

DOCUMENTS MUST BE ACCOMPANIED BY AN MT759 SWIFT MESSAGE SENT TO THE ISSUING BANK, QUOTING THIS LETTER OF CREDIT REFERENCE AND CROSS-REFERENCING THE DOCUMENTARY TRANSMISSION.

OR

DOCUMENTS ARE TO BE PRESENTED AS ELECTRONIC RECORDS AS PER THE REQUIREMENTS OF THE ABC PLATFORM OR AS DIGITAL IMAGE IN PDF/TIFF FORMAT VIA THE ABC PLATFORM TO XYZ BANK, HONG KONG BRANCH QUOTING THIS LETTER OF CREDIT REFERENCE.

	If the Advising and/or Confirming Banks are unable to exchange and present electronic records as per the Credit, then it is imperative they should respond immediately to the Issuing Bank. It is advisable that beneficiary review the presentation mode so that they can also present electronic records directly to the issuing bank in case of need [Ref UCP 600 sub-article 6 (d) (ii)].
:71D: CHARGES [RESPONSIBILITY FOR CHARGES]	Optional field but recommended – in circumstances when issuing bank charges are for account of the beneficiary, there should also be an indication of the actual cost or formula to be used in order to calculate the charges that are to be collected.
:49: CONFIRMATION INSTRUCTIONS [ADD CONFIRMATION INSTRUCTIONS]	A requirement that confirmation is to be added will usually be made by the beneficiary in its sale contract, proforma invoice or other form of agreement.
:78: INSTRUCTIONS TO THE PAYING/ACCEPTING/NEGOTIA TING BANK UPON RECEIPT OF A COMPLYING PRESENTATION	Optional field indicating information that is specific to the bank that is being asked to honour or negotiate (if one is stated) e.g., reimbursement conditions (when there is no reimbursing bank mentioned in Field 53A), details for the forwarding of the documents to the issuing bank, etc.
PLEASE REMBURSE YOURSELF ON [REIMBURSING BANK]. THE REIMBURSEMENT IS SUBJECT TO URR 725	It is advised that, whenever possible, funds be made directly available to the nominated bank (if one is stated). The two clauses mentioned on the left are examples that can be redrafted to fit the actual circumstances.

or	Issuing banks should clearly mention the presentation requirements in field 47A,
UPON RECEIPT OF A	including the method of transfer (SWIFT FileAct, Multibank platform etc.), the format
COMPLYING PRESENTATION	of the electronic records (if not already stated in field 46A), the electronic address
PLEASE DEBIT OUR ACCOUNT	for presentation and any other relevant details.
WITH YOU.	

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