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<b>Name of the Clause :</b>	The York Rules		
<b>Subject of the Clause :</b>	Second International Rules for General Average		
<b>Category :</b>	International Convention		
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<b>Comments :</b>			

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### The York Rules

#### Jettison of deck cargo

*Rule I* – A jettison of timber or deals, or any other description of wood cargo, carried on the deck of a ship in pursuance of a general custom of the trade in which the ship is then engaged, shall be made good as general average in like manner as if such cargo had been jettisoned from below deck.

No jettison of deck cargo other than timber or deals, or other wood cargo, so carried as aforesaid, shall be made good as general average.

Every structure not built in with the frame of the vessel shall be considered to be a part of the deck of the vessel.

#### Damage by jettison

*Rule II* – Damage done to goods or merchandise by water which unavoidably goes down a ship's hatches opened, or other opening made, for the purpose of making a jettison, shall be made good as general average, in case the loss by jettison is so made good.

Damage made by breakage and chafing, or otherwise from derangement of stowage consequent upon a jettison, shall be made good as general average.

#### Extinguishing fire on shipboard

*Rule III* – Damage done to a ship or cargo, and either of them, by water or otherwise, in extinguishing a fire on board the ship, shall be general average.

#### Cutting away wreck

*Rule IV* – Loss or damage caused by cutting away the wreck or remains of spars, or of other things which have previously been carried away by sea-peril, shall not be made good as general average.

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**Voluntary stranding**

*Rule V* – When a ship is intentionally run on shore because she is sinking or driving on shore or rocks, no damage caused to the ship, the cargo, and the freight, or any or either of them, by such intentional running on shore, shall be made good as general average.

**Carrying press of sail**

*Rule VI* – Damage occasioned to a ship or cargo by carrying a press of sail shall not be made good as general average.

**Port of refuge expenses**

*Rule VII* – When a ship shall have entered a port of refuge under such circumstances that the expenses of entering the port are admissible as general average, and when she shall have sailed thence with her original cargo or a part of it, the corresponding expenses of leaving such port shall likewise be so admitted as general average ; and whenever the cost of discharging cargo at such port is admissible as general average, the cost of re-loading and stowing such cargo on board the said ship, together with all storage-charges on such cargo, shall likewise be so admitted. Except that any portion of the cargo left at such port of refuge, on account of its being unfit to be carried forward, or on account of the unfitness or inability of the ship to carry it, shall not be called on to contribute to such general average.

**Wages and maintenance of crew in port of refuge.**

*Rule VIII* – When a ship shall have entered a port of refuge under the circumstances defined in Rule VII, the wages and cost of maintenance of the master and mariners, from the time of entering such port until the ship shall have been made ready to proceed upon her voyage, shall be made good as general average. Except that any portion of the cargo left at such port of refuge, on account of its being unfit to be carried forward, or on account of the unfitness or inability of the ship to carry it, shall not be called on to contribute to such general average.

**Damage to cargo in discharging**

*Rule IX* – Damage done to cargo by discharging it at a port of refuge shall not be admissible as general average in case such cargo shall have been discharged at the place and in the manner customary at that port with ships not in distress.

**Contributory values**

*Rule X* – The contribution to a general average shall be made upon the actual values of the property at the termination of the adventure, to which shall be added the amount made good as general average for property sacrificed; deduction being made from the shipowner's freight and passage- money at risk, of two-fifths of such freight, in lieu of crew's wages, port-charges, and all other deductions; deduction being also made, from the value of the property, of all charges incurred in respect thereof subsequently to the arising of the claim to general average.

**Loss of freight**

*Rule XI* – In every case in which a sacrifice of cargo is made good as general average, the loss of freight (if any) which is caused by such loss of cargo shall likewise be so made good.