



## **Commercial Transactions, International Trade**

GDP wise Bangladesh is the 33th largest economy of the world. It is the 2nd largest Garments producer of the world. Certainly the country has made its name as Emerging Tiger in south East Asia which is contributing in developing all related service industries which includes Shipping, Freight Forwarding, Commercial Banking and also Legal service industries. Smooth Commercial Transaction and International Trade require strong legal support. Drafting several commercial contracts with different stakeholders, conducting due diligence, determining terms and conditions of Sales contract or Proforma Invoices, Bill of Lading, seeking compliance with local and international foreign exchange control regulation, international trade law, determining suitable INCOTERMS, UCP 600 etc are only few areas where prudent client takes legal advice. Consistency and coherence of different terms in several commercial documents also significantly help clients in case of disputes involving cargo payment and delivery.

We are as one of the Leading Law Firm advising and representing Clients on several international and local commercial matters for nearly a decade.



*"Offers further capabilities in international trade and commercial litigation..."*

*- Chambers & Partners, 2017*

*"Their response times are excellent and they make you feel generally very well informed."*

*- Chambers & Partners, 2018*

*Ranked for "Corporate and Finance"*

*- Chambers & Partners, 2019*



*Rahman's Chambers has strong contentious capabilities, and has handled a number of insurance, fraud and international trade disputes.*

*Legal 500, 2017*

*"The 'very responsible, responsive and knowledgeable' Mohammed Forrukh Rahman heads the firm.."*

*Legal 500, 2018*

Rahman's Chambers is a full service law firm for trade related matters. Besides dealing with Commercial Litigation matters, the firm provides all sorts of support to the business community over trade related issues for both local and foreign clients. We have provided assistance in the following matters:

- We have advised Maersk Bangladesh Limited and also **A.P. Moller -Maersk, Denmark** by preparing templates for Letter of indemnity suitable for Bangladesh and also other jurisdiction for example India, Pakistan where there are exchange control regulation.
- We have conducted **due diligence over custom duties** etc. on specific products for VVD, India and Godrej, India.
- We have advised G.A.B Limited, a concern of Gildan Active-wear Bangladesh and a Multi-National Company on different custom formalities involving bonded warehouse matters allowing **exemption from import duty** for 100% export oriented import and extension of bonded area in different locations.
- We have advised a leading Chinese construction company regarding **foreign vessel registration process** in Bangladesh, local acceptability of China classification society and **applicable cost/ tax breakdown** etc.
- We have advised and provided due diligence report to Dharti Dredging and Infrastructure Limited, India **on importation of dredgers as capital machinery** and applicable customs duty, foreign vessel registration process and applicable registration fees in Bangladesh, **setting up dredging business in Bangladesh** etc.
- We have provided legal consultancy service to one of the leading LPG provider company in Bangladesh regarding **auto gas supply agreement** related matters.

- We have assisted First Northeast Electric Power Engineering Co. (NEPC) in **conversion of temporary imported equipment into permanent importation** from a project to a subsidiary company as capital machinery subject to availing significant exemption on applicable duty and tax.
- We have conducted due diligence for **Samsung Engineering Company Limited** of South Korea on several trade related issues involving Bangladesh.
- We have provided legal consultancy to a Local RMG based business entity regarding **Fashion & Design Agreement** formed with a designing company based on UK.
- We have advised a leading local Bank over a **signing of receivable purchase agreement** known as factoring formed with Prima Dollar Finance Limited, UK **involving International Trade related receivables**.
- We have vetted and drafted **Sales contract and pro-forma Invoices** for several Garments and Textiles for example Saturn Textiles Limited, How Are You Textiles Limited etc.
- We have advised a major construction and engineering company from China named First Northeast Electric Power Engineering Co. (NEPC) on converting **temporary import of equipment into permanent import**.
- We have advised Maersk Bangladesh Limited regarding **terminal handling charges related regulation, rules, policy** of Chattogram Port Authority.
- We have vetted **trade documents and LC documents** for several Bank and Financial Institutions such as Dutch-Bangla Bank Limited, First Security Islami Bank Limited etc.

### Commercial Contract

We provide specialized services including drafting several commercial contracts with different stakeholders, review of various commercial documents & contracts to ascertain whether they are legally valid, protection of legal rights and business interests, inclusion of favourable terms etc which eventually becomes useful if any dispute arises out of any such commercial contracts or documents.

### Payment and Letter of Credit

The firm regularly advises both bankers and businessman on terms and conditions of Letter of Credit. We have specialized knowledge & experience on foreign exchange guidance, UCP600, and INCOTERMS 2010 etc.

### Sales Contract and Pro-forma Invoice

The firm provides specialized services including drafting Sales contract and Proforma Invoices etc. Adding useful terms and conditions in sales contract have been proved valuable if the matter goes to court due to the lengthy process of recovery in Bangladesh. Over the years, we have advised several carriers, banks, buyers, and sellers on issues related to Bill of Lading, Charter party, Indemnity, etc. Our expertise on carriage law is clearly evident from the reported landmark decision as reported on Freight Management and 16 others vs Bangladesh Bank 2 CLR (HCD) 586; 19 MLR (HCD) 336.

## Freight Forwarding and C&F (Stevedores)

In recent years, we have advised Maersk Line, Denmark & Bangladesh in preparing indemnity letters, contracts with shippers, etc. The firm has in depth knowledge & experience in dealing with freight forwarding and C & F related issues. Our clients found it critical and very useful once they received advice from us while dealing with these matters. The landmark case Freight Management and 16 others vs Bangladesh Bank reported in **2 CLR (HCD) 586; 19 MLR (HCD)336** where the firm has successfully argued before Hon'ble court on the roles of freight forwarder and carrier under existing laws is a testimony of the firm's ability.

## Trade VAT, Tax and Customs

We provide due diligence report to our client on trade related tax, vat and custom issues so that they can plan even before commencing trade. Client often take our assistance in calculating applicable customs duty, source tax and advance trade VAT based on different HS Codes. Our due diligence report varies depending on several issues, e.g. nature of import and export, nature of business sector, applicable exemption etc. Further details in this regard are available in our respective practice area headed as "VAT, Tax and Customs Matters".

## Trade Regulation

The central bank custom houses under National Board of Revenue (NBR), port authorities under Department of Shipping operate under several laws, SRO, circulars, regulations, on which the firm has gathered its experience and expertise.

### Our Related Clients:

- VVD, India
- Saturn Textiles Ltd.
- ACME Electronics Ltd
- G.A.B Limited (Gildan)
- First Security Islami Bank Limited
- Utah Fashion Ltd.
- Shivalic Fashions Ltd.
- Ocean International Ltd. (Agent of Hyundai Shipping)
- First Northeast Electric Power Engineering Co. (NEPC)
- Abond Corporation, Canada
- Sojitz Machinery Corporation, Japan
- RamaDBK, Japan
- Roshawa Spinning Mills Ltd
- Angang Steel Company Ltd., China

- Maersk Bangladesh Ltd.
- Unitex LP Gas Ltd
- Dharti Dredging and Infrastructure Ltd, India
- Samsung Engineering Company Ltd.

### Our Reported Cases:

- LC Fraud (Hallmark case): Alvi Spinning Mills Ltd and others vs Govt. of Bangladesh.
- International Trade: Freight Management vs. Bangladesh Bank.
- Admiralty & Maritime: Marodi Services vs. MV Swift Co.
- Freight and Charges: Maersk Bangladesh Limited vs Bangladesh