

附表一

Container No.		起訴時之計算方式及理賠金額(USD)		Salvage sale 殘值出售價(HKD)	調整後之計算方式及請求金額(USD)		Limitation of Liability(SDR)	
							package/cntr	weight (2 SDR/per kg)
1	WHLU2704062	640包x 25公斤xUSD1.195 x 110%	21,032.00	88,000	640包x 25公斤xUSD1.195 x 100%	19,120.00	1 cntr/	44424.96 kg
2	WHLU0300143; WHLU0289363	32.5MTX RMB5,400X 0.145755	25,580.00	-	32.5MTX RMB5,400X 0.145755	25,580.00	2 cntrs/	36216kg
3	WHLU0270856;	720包x 25kgs x 1.415 x 110% = USD28,017.00	97,857.87	359,032	720包x 25kgs x 1.415 x 100% = USD25,470.00	90,216.87	7 cntrs/	126756 kg
	WHLU0310141;	720包x 25kgs x 1.415 x 110% = USD28,017.00			720包x 25kgs x 1.415 x 100% = USD25,470.00			
	WHLU0229338;	720包x 25kgs x 1.415 x 110% = USD28,017.00			720包x 25kgs x 1.415 x 100% = USD25,470.00			
	WHLU0403650;	235包x 25kgs x 1.415 x 60% = USD4,987.88			235包x 25kgs x 1.415 x 60% = USD4,987.88			
	WHLU0472559;	485包x 25kgs x 1.415 x 18% = USD3,088.24			485包x 25kgs x 1.415 x 18% = USD3,088.24			
	WHLU2823230;	300包x 25kgs x 1.415 x 18% = USD1,910.25			300包x 25kgs x 1.415 x 18% = USD1,910.25			
	WHLU2886075	300包x 25kgs x 1.415 x 18% = USD1,910.25			300包x 25kgs x 1.415 x 18% = USD1,910.25			
4	WHLU0463881; WHLU0210374	720包 x 25kgs x USD1.215 x 56%	12,247.20	-	720包 x 25kgs x USD1.215 x 56%	12,247.20	2 cntrs/	36216kg
5	DFSU2135420	720包x 25kgs x USD1.42 x 110%	28,116.00	63,000	720包x 25kgs x USD1.42 x 100%	25,560.00	1 cntr/	18108 kg
6	WHLU0358649	720包 x 25kgs x USD1.38 x110%	27,324.00	94,351	720包 x 25kgs x USD1.38 x100%	24,840.00	1 cntr	18108kg
7	BMOU2640884;	179包x 25kgs x 1.385 x 110% = USD6,817.66	34,240.66	78,887	179包x 25kgs x 1.385 x 100% = USD6,197.87	31,127.87	2 cntrs/	36216kg
	WHLU2739808	720包x 25kgs x 1.385 x 110% = USD27,423.00			720包x 25kgs x 1.385 x 100% = USD24,930.00			
8	WHLU2847171; XINU1498748	2貨櫃 x 720包x 25kgs x 1.385 x 110%	54,846.00	157,774	2貨櫃 x 720包x 25kgs x 1.385 x 100%	49,860.00	2 cntrs/	36216 kg
9	WHLU2736882	720包 x 25kgs x USD1.435 x 110%	28,413.00	161,688	720包 x 25kgs x USD1.435 x 100%	25,830.00	1 cntr/	18108 kg
10	WHLU0438214	720包x 25kgs x USD1.21 x 110%	23,958.00	94,875	720包x 25kgs x USD1.21 x 100%	21,780.00	1 cntr/	18108 kg
11	WHLU0450082	720包x 25kgs x USD1.42 x 110%	28,116.00	156,688	720包x 25kgs x USD1.42 x 100%	25,560.00	1 cntr/	18108 kg
12	WHLU2816334; WHLU2711816	2貨櫃 x 640包 x 25kgs x USD1.198 x 110%	42,169.60	89,704	2貨櫃 x 640包 x 25kgs x USD1.198 x 100%	38,336.00	6 cntrs/ 10 包 2 cntrs/ 10 包 32192 kg	96576 kg
13	WHLU0405695; TEMU2175873; WHLU2699027	3貨櫃 x 720包 x 25kgs x USD1.43 x 110%	84,942.00	416,013	3貨櫃 x 720包 x 25kgs x USD1.43 x 100%	77,220.00	3 cntrs/	54324 kg
14	TKCU3072160	720包 x 25kgs x USD1.47 x 110%	29,106.00	100,505	720包 x 25kgs x USD1.47 x 100%	26,460.00	1 cntr/	18108 kg
15	WHLU0322939	720包x 25kgs x USD2.55 x 110%	50,490.00	196,688	720包x 25kgs x USD2.55 x 100%	45,900.00	1 cntr/	18180 kg
16	WHLU03078178	720包x 25kgs x USD1.20 x 110%	23,760.00	68,350	720包x 25kgs x USD1.20 x 100%	21,600.00	1 cntr/	18108 kg
			612,198.33			561,237.94		
17	WHLU2885377	16箱 · 總金額為 USD40,243.28	40,243.28	-	16箱 · 總金額為 USD37,499.42	37,499.42	1 cntr/	10824 kg=21648 SDRs
18	WHLU0486906	13箱 · 總金額為USD30,270.50	30,270.50	-	13箱 · 總金額為 USD28,207	28,207.00	1 cntr/	1866 kg=3732 SDRs
			US\$648,314.33	HK\$2,125,555				US\$597,353.94
			US\$271,900.996	(1HKD:USD @0.12792)				US\$271,900.996
			理賠金額-殘值餘額					理賠金額-殘值餘額
			起訴時(108.9.19)					起訴時(108.9.19)
			NT\$11,398,548.59					NT\$9,855,366.06
			(1USD:NTD @30.282)					(1USD:NTD @30.282)

273

@1.423 USD=30,805USD

@1.423 USD= 5,311USD

36,116

附表二：

附表 一編 號所 示出 口貨 物	甲、依海商法第70條第2項計算之被上訴人單位限制責任			乙、上訴人請求被上訴人給付金額)	丙、本院認定上訴人得請求被上給付金額(美金)
	(一)依件數計算之單位限制責任	(二)依重量計算之單位限制責任	(三)單位限制責任金額(美金,計算式:(二)SDRs×美金1.423元)		
1	666.67	88,849.2	126,432.4116元	19,120元	19,120元
2	1,333.34	72,432.0	103,070.736元	25,580元	25,580元
3	2,000.01	253,512.0	360,747.576元	90,216.87元	90,216.87元
4	1,333.34	72,432.0	103,070.736元	12,247.2元	12,247.2元
5	666.67	36,216.0	51,535.368元	25,560元	25,560元
6	666.67	36,216.0	51,535.368元	24,840元	24,840元
7	1,333.34	72,432.0	103,070.736元	31,127.87元	31,127.87元
8	1,333.34	72,432.0	103,070.736元	49,860元	49,860元
9	666.67	36,216.0	51,535.368元	25,830元	25,830元
10	666.67	36,216.0	51,535.368元	21,780元	21,780元
11	666.67	36,216.0	51,535.368元	25,560元	25,560元
12	1,333.34	64,384.0	91,618.432元	38,336元	38,336元
13	2,000.01	108,648.0	154,606.104元	77,220元	77,220元
14	666.67	36,216.0	51,535.368元	26,460元	26,460元
15	666.67	36,216.0	51,535.368元	45,900元	45,900元
16	666.67	36,216.0	51,535.368元	21,600元	21,600元
17	666.67	21,648.0	30,805.104元	37,499.42元	30,805.10元
18	666.67	3,732.0	5,310.636元	28,207元	5,310.64元
			1至18合計	626,944.36元(上訴人誤算為597,353.940元)	597,353.68元
			減殘值出售價	-271,900.996元	-271,900.996元
			總計	355,043.364元(上訴人聲明請求325,452.94元)	325,452.684元

