



Customer Procedure for

## **Cargo Claim notification**

What to do when your cargo is lost or damaged?



Blue Water has an internal claim procedure - accessible and well-known to all our operational employees with client responsibilities, administrative employees, local claim coordinators and our Global Head of Insurance & Claims. Blue Water has a central claim operating team, that assures alignment, contact with involved parties and insurance companies.

A claim must be registered when it is brought up by the customer when knowledge of damage, shortage or delay is obtained. All cargo claims must be addressed in writing to your Blue Water contact person timely and with no delay. We refer to §27 in Nordic Association of Freight Forwarders' general conditions concerning claims.

When registering a claim to Blue Water, customer should also register the claim with their own cargo insurance provider, so that the goods can be inspected on site if necessary.

**One of the following 3 steps should be followed when a claim is registered:**

## Damaged goods

### Visible damage

1. Make sure to secure proof/evidence
2. Examine the external condition of the goods
3. If damage is visible to a shipment, it should be accepted with reservation on consignment note made by the receiving party and have delivery agent to sign as well
4. If in doubt as to whether the goods are damaged – reservations should also be taken
5. Take photos, refrain from moving the goods and limit damage
6. Report damage;
  - a. Immediately hold your freight forwarder / transporter responsible in writing
  - b. Report the damage to your cargo insurance company, which, depending on the extent of the damage, might arrange an inspection
  - c. Send documentation to Blue Water contact in the form of
    - i. Notification of [Claim - Damage](#)
    - ii. Consignment note with reservation signed by Releasing Agent/driver
    - iii. Commercial invoice with documentation for the value of the goods
    - iv. Copy of booking
    - v. Documentation of weight of the damaged goods
    - vi. Photo documentation of the damages

### Non-visible damage

1. Due to short claim deadline, please make sure to examine the goods after receiving, and as soon as possible
2. If the claim deadlines are exceeded, receiver must prove that it is a case of transport damage and in worst case be excluded from compensation.
3. Take photos, refrain from moving the goods and limit damage
4. Report damage;
  - a. Immediately hold your freight forwarder / transporter responsible in writing
  - b. Report the damage to your cargo insurance company, which, depending on the extent of the damage, might arrange an inspection
  - c. Send documentation to Blue Water contact in the form of
    - i. Notification of [Claim - Damage](#)
    - ii. Consignment note with reservation signed by Releasing Agent/driver
    - iii. Commercial invoice with documentation for the value of the goods
    - iv. Copy of booking
    - v. Documentation of weight of the damaged goods
    - vi. Photo documentation of the damages

# Shortage of goods

## Missing colli

1. Count and make justified reservation on the consignment note and have delivery agent to sign as well
2. Report shortage;
  - a. Immediately hold your freight forwarder / transporter responsible in writing
  - b. Report the damage to your cargo insurance company, which, depending on the extent of the damage, might arrange an inspection
  - c. Send documentation in the form of
    - i. Notification of [Claim - Shortage/loss](#)
    - ii. Consignment note
    - iii. Commercial invoice with documentation for the value of the goods
    - iv. Copy of booking
    - v. Documentation of weight of the damaged goods
    - vi. Photo documentation of the damages



# Resolution procedure

All claims, without exception, are registered in our Transport Management system and when handling the claim, the “Claims Handling Procedure” must be followed and the local and/or global management must be involved when necessary.

1. The local claim coordinator or the operational employee who receives the claim from the customer will validate all necessary information has been received and will fill out a claim form with all relevant details, such as date, location, nature, extent of the damage and parties involved.
2. The claim form will be sent to the central claim team as soon as possible, preferably within 24 hours of receiving the claim.
3. The central claim team will acknowledge the receipt of the claim form and assign a claim number and a claim handler to the case.
4. The local claim coordinator will send notification of claim to all parties involved – e.g. hauliers, stevedore company, warehouse, shipping line, airline, railway company etc. to be held responsible for claim/loss.
5. The claim handler will contact the customer and the insurance company (if applicable) and request any additional

information or documentation that may be needed to process the claim such as photos, invoices and packing lists. (If not already received)

6. The claim handler will investigate the cause and liability of the damage
7. The claim handler will inform the local claim coordinator or the operational employee of the outcome of the claim and the amount of compensation (if any) that will be paid to the customer or recovered from the insurance company.
8. The claim handler will close the claim file and archive it for future reference.

The claim procedure should be completed within 90 days of receiving the claim, unless there are exceptional circumstances that require more time. Any delays or difficulties in handling the claim should be reported to the Global Head of Insurance & Claims who will take immediately action or involve insurance via monthly status meetings with insurance. The central claim team will monitor the progress and performance of the claim procedure and provide regular reports and feedback to the management and the stakeholders.

# Carrier Liability

		Sea	Road	Rail	Air
Basis of liability	Denmark	Søloven (Merchant Shipping Act)	NSAB 2015 General conditions of the Nordic Association of Freight Forwarders	Lov om jernbanevirksomhed.	Luftfartsloven af 1994. (Danish aviation law)
	Internationally	Hague Visby Rules.	CMR Convention.	CIM Convention.	Montreal Convention
Claim deadline	Visible damage	Immediately.	Immediately.	Immediately.	Immediately.
	Non-visible damage	3 days from delivery.	Denmark: 7 days from delivery. Internationally: 7 days from delivery except Sundays and holidays.	7 days after delivery.	14 days after delivery.
	Delays	60 days after delivery.	Denmark: 14 days after delivery. Internationally: 21 days after delivery.	60 days after delivery deadline.	21 days after delivery.
Period of limitation	Denmark	1 year from delivery + suspension.	1 year from delivery + suspension.	1 year from delivery + suspension.	2 years from delivery.
	Internationally	1 year from delivery + suspension.	1 year from delivery + suspension.	1 year from delivery + suspension.	2 years from delivery.
Liability limitation	Denmark Loss/damage:  Delay:	SDR 2.00 per kilo or SDR 667.00 per unit.  2,5 x freight for the delayed cargo, limited to the max. total freight amount.	Max. 8.33 SDR per kilo.  Limited to freight amount.	Full load: SDR 17. Part load: SDR 8.33 per kilo gross weight. Max. 3 x freight amount.	26 SDR per kilo.
	Internationally Loss/damage:  Delay:	SDR 2.00 per kilo or SDR 667.00 per unit.  2,5 x freight for the delayed cargo, limited to the max. total freight amount.	8,33 SDR per kilo + duty, freight etc.  Limited to freight amount.	17 SDR per kilo gross weight. Max. 3 x freight amount.	26 SDR per kilo.

## Rules and conventions governing transport

Four transport types are normally included when discussing transport law: Sea transport, governed by the Hague Visby Convention, and transport by road, which is governed by the CMR Convention. Rail transports are governed by the CIM Convention, and air transports by the Warsaw Convention.