



# Cargo Claims

What to do when your cargo is lost or damaged

## Damage

**Should you receive cargo in damaged condition, we recommend that you follow below advice on documentation and notification.**



### Visible

#### Secure evidence

- › Inspect the external condition of the shipment
- › Note your reservations on the consignment note, and have the driver sign it, if the cargo is visibly damaged.
- › In in doubt whether the cargo is damaged, you should note your reservations just in case
- › Photograph the damage, avoid moving the cargo, and limit the damage.

#### Register your claim

- › Immediately hold your freight forwarder / shipping agent responsible in writing.
- › Register your claim with the cargo insurance provider. Depending on the extent of the damage, a physical inspection may be carried out by a surveyor.
- › Send documentation in the form of signed consignment notes, invoices and booking/agreement.

### Not visible

- › Inspect shipment content as soon as possible - claims must be registered within a few days.
- › If you fail to meet the claim deadline, the burden of proof rests with you. In the worst case, you may be excluded from compensation for damage during transport.
- › Photograph the damage, avoid moving the cargo and limit the damage.
- › Register your claim as described under "Register your claim" items 2 and 3.

## Loss

If you experience any loss related to your shipment, we recommend that you follow below course of action.



### Missing parcels

**1.**

Recount and note your reservations on the consignment note.

**2.**

Register your claim with the cargo insurance provider.

**3.**

Register your claim with the cargo insurance provider.

**4.**

Send documentation in the form of signed consignment notes, invoices and booking/agreement.

Further information on Incoterms, claim deadlines, liability limitations and the difference between cargo insurance and liability insurance on [www.bws.net](http://www.bws.net)

## Carrier Liability

		Sea	Road	Rail	Air
Basis of liability	Denmark	Søløven (Merchant Shipping Act)	NSAB 2015 General conditions of the Nordic Association of Freight Forwarders	Lov om jernbaneverksamhed.	Luftfartsloven af 1994. (Danish aviation law)
	Internationally	Hague Visby Rules.	CMR Convention.	CIM Convention.	Warsaw 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.	22 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.	22 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.