

# CARGO CLAIMS PROCEDURE

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**NIRINT**  
S H I P P I N G



## CARGO CLAIMS PROCEDURE

Although we are constantly doing our best to care for and deliver your cargo in a good condition, sometimes things do go wrong. We will do our utmost to minimize your inconvenience. We have prepared this guide about our claims handling procedure and to make this process as efficient and as simple as possible.

This Cargo Claims Procedure is for guidance only, and shall be construed as neither legally binding nor enforceable. The information, detail and content of the Cargo Claims Procedure is non-exhaustive and shall not be read to limit or restrict any legal rights or defences.

We would appreciate your cooperation as described below in order to be able to handle a cargo claim properly and as quick as possible.

### On taking delivery of the cargo

On taking delivery of the cargo you should:

- Check the container exterior or cargo outer packing if not containerized, for eventual damages;
- Check if the original container seals are intact where applicable;
- For reefer containers, check temperature and ventilation setting;
- If loss or damage is apparent or reasonably suspected, please make a note on the delivery receipt before signing and send a notice of protest to the Nirint Legal department and your local Nirint office or agent;
- If loss or damage is not apparent, you should notify the Nirint Legal department and your local Nirint office or agent immediately on becoming aware of the loss or damage but no later than three days after taking delivery.

### Notification and survey

If loss or damage to your cargo is apparent upon receipt, you should:

- Notify your insurance underwriter;
- Ensure you are in the legal position to issue a claim;
- Notify Nirint Legal department and your local Nirint office or agent;
- Arrange a survey and invite Nirint to be present or represented, preferably when the cargo is still untouched. This will allow the surveyors to check cargo packing, stowage, lashing and securing, blocking and bracing, damage pattern and other points of interest.
- Take photographs and document the extent and type of damage to the goods and/or container(s).

Photographs must be made of sound as well as the damaged cargo for comparison. The pictures should not only show the packaging or exterior of the damaged cargo but also the damaged goods or products. In case of container damage, pictures should also be made of the damaged container(s) and container number(s).

You should notify Nirint immediately because a late notification will adversely affect your legal position. Late notification may also make it difficult to identify the exact condition of the cargo on delivery and to distinguish between the damage that may have occurred while under Nirint’s care and any possible aggravated damage after delivery.

When contacting Nirint, please ensure to provide the following:

<b>When you provide...</b>	<b>It helps us to...</b>
Nirint Bill of Lading number	Identify the specific shipment
Container number (if applicable)	Identify the specific shipment
Nature of the damage or loss	Determine the course of investigation
Approximate value of damage or loss	Communicate properly with our insurers
Local representatives contact details	Communicate efficiently at the location of the survey
Date and location of joint survey	Arrange our surveyor to be at the right place and time

The above list is for guidance only and are not exhaustive.

**Mitigate loss**

As a matter of law, you must do your utmost to mitigate your loss. Such measures may include precautions to protect the value of sound cargo by segregating the damaged cargo. Damaged cargo may be salvaged for sale in secondary markets, as well there may be alternate use for damaged goods. Repair or cure may also be possible, which may provide more economical and timely than re-ordering the same goods. Reasonable costs incurred in mitigation of loss may be included in your claim.

**Submit quantified claim**

Your formal claim should be send to:

- Your insurance underwriter; or
- Nirint Legal department and your local Nirint office or agent.

Your formal claim should be submitted on your company letterhead, including an itemised claim statement and calculation, with the specific value of cargo damage or loss. It should also include the documents or items as described below. These documents may have different names.

**We request...**

Copy Nirint Bill of Lading  
 Container number (if applicable)  
 Supplier's/commercial invoice  
 Packing list  
 Survey report with photographs  
 Calculation of claim  
 Reconditioning or repair invoices  
 Subrogation form (if applicable)

**It helps us to...**

Identify the specific shipment  
 Identify the specific shipment  
 Substantiate the value of the cargo  
 Validate the cargo count and content  
 Assess the extent of damage or loss  
 Match against submitted documentation

Depending on the nature of your claim, we may request additional information, such as:

**We request...**

Salvage receipt or destruction  
 Temperature records (if applicable)  
 Unloading tally  
 Delivery receipt  
 exceptions  
 Equipment Interchange Receipts  
 applicable)  
 Export/import declaration

**It helps us to...**

Confirm reasonable mitigation efforts or destruction  
 Assess any deviation in cargo temperature  
 Substantiate cargo quantity at stripping / discharging  
 Verify receipt, check seal integrity and examine any  
 Verify container handover and check seal integrity (if  
 Corroborate cargo, quantity and/or value.

The above list is for guidance only and are not exhaustive.

It is important that claims are well-supported and quantified for efficient handling.

**Time limitations**

Claims will be subject to limitations of time. It is your responsibility to review the contractual terms and familiarise yourself with the applicable limitation of time. In the event it will not be possible to resolve the claim within the limitation of time an extension of time may be requested. If you fail to take either step, our obligation to handle your claim will expire.

Nirint strictly enforces this right as required by our insurance arrangement and auditing standards.

### Steps Nirint will take

The next steps we will take:

- Acknowledge receipt of your claim notification and provide a reference number for further correspondence;
- Engage a surveyor if necessary;
- Initiate an investigation of the cause of damage;
- Awaiting your sufficient supported and quantified claim;
- Acknowledge receipt of your quantified claim and request any missing documentation from you;
- Finalise our internal investigation;
- Evaluate the merits of your claim and the extent of Nirint's liability.

Once our investigation is finalised, we will evaluate the merits of your claim in the light of all relevant facts and in accordance with the terms and conditions of our contract of carriage and applicable law and/or international carriage of goods conventions.

Thank you for your cooperation.

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