

## MARINE CLAIMS GUIDE

### DUTY OF THE CARGO OWNER

- 1) Document the conditions of cargo upon delivery. Make clear exceptions on the delivery receipt noting any loss and/or damage to the cargo and/or the packing and/or the containers.
  - ✓ Take pictures – photographs will be very helpful as evidence.
- 2) Minimise the loss – immediately protect the cargo from further loss or damage.
  - ✓ Separate wet cargo from dry cargo
  - ✓ Repack to prevent further loss or damage
  - ✓ Move goods to a secure location

**Important:**

The sue and Labour Clause of your Cargo Policy requires the cargo owner to take reasonable measures as may be necessary to protect the insured property from further loss or damage. Costs and expenses incurred by the cargo owner in doing this are payable under the Sue and Labour Clause.

- 3) Preserve all packaging, damaged goods and seals until advised otherwise by PrestMarine
- 4) Notify PrestMarine via e-mail or telephone of any possible claim. Depending on the nature of the claim our claims team will guide you on the documentation required and procedures to follow.

The Claims Team:

Yvonne Oberholzer – Team Leader  
Nadia van Greunen  
Marzaan van Staden  
Anneli Smith

[yvonne@prestgroup.co.za](mailto:yvonne@prestgroup.co.za)  
[marine@prestgroup.co.za](mailto:marine@prestgroup.co.za)  
[marzaan@prestgroup.co.za](mailto:marzaan@prestgroup.co.za)  
[anneli@prestgroup.co.za](mailto:anneli@prestgroup.co.za)

- 5) File a formal notice of claim against the Carrier(s) responsible for the loss or damage. Please bear in mind that there are statutes of limitation to notify the carrier of loss, damage or non-delivery. Refer to the below table for time limitations. Further, always refer to the carrier's Bill of Lading, tariff or other Terms and Conditions for specific limits of liability.



## TIME LIMITATIONS FOR FILING A CLAIM AGAINST THE CARRIER

<b>Ocean</b>	3 days from date of delivery. Must be written notice that raised the presumption of carrier responsibility.
<b>International Air</b>	7 days from time of delivery, for visible damage;
	14 days from time of delivery, for concealed or hidden damage;
	120 days from the date goods should have been delivered for non-delivery
<b>Truck Carriers</b>	Determined by the contract
<b>Rail</b>	Determined by the contract

## DOCUMENTATION

Underwriters will require the following documentation to settle a claim:

- ✓ Marine Insurance Certificate / Declaration
- ✓ Bill of Lading / Air Waybill / Road or Rail Consignment Notes
- ✓ Supplier's Invoice or Sales Contract
- ✓ Packing List
- ✓ Customs Documentation
- ✓ Freight Invoice
- ✓ Endorsed Delivery Receipts
- ✓ Photographs, if any
- ✓ Claim files against the Carrier and their reply
- ✓ Claimant's detailed price claim

In the event of a General Average and Salvage claim, the following documentation will be required by underwriters:

- ✓ Marine Insurance Certificate / Declaration
- ✓ Bill of Lading
- ✓ Supplier's Invoice / Sales Contract
- ✓ Packing List
- ✓ Freight Invoice
- ✓ General Average bond signed by cargo owner

Underwriters, once they have established their liability, will lodge the General Average Guarantee with the General Average Adjuster.