



# CAP-MARINE

## ASSURANCES & REASSURANCES SAS

*Courtiers d'Assurances et de Réassurances Maritimes et Transports*  
*Marine Insurance & Reinsurance Brokers*

www.cap-marine.com

### Steps to follow in case of damage

#### 1- Main recommendations from CAP MARINE

- Take all reasonable measures to safeguard cargo or avert or minimise loss of or damage to it.
- Preserve the possibility of recovery and other rights against carriers and/or any other alleged liable parties in order to avoid any risk of sanctions from Insurers.
- Submit the claim files as soon as possible in order to obtain a prompt settlement or position and to avoid the time bars limits.

##### a. Apparent damages / loss on delivery

- Upon delivery of cargo: Mention specific exceptions on the delivery receipt specifying numbers, marks, state, quantity, weight and number of apparent litigious packages.
- Delivery of containers: Mention on the delivery receipt the apparent state of the TC and the numbers of the seals.
- Confirm your exceptions in writing (registered letter with acknowledgment of receipt) not later than 3 days after delivery.
- Take photographs of the damaged goods and the container (if defects ascertained).
  - ⇒ **If extent of loss seems higher than the survey deductible specified in the insurance policy:**  
Immediately contact Cap-Marine to decide on the necessity of stopping or not the unloading operations and of appointing a surveyor.

##### b. damages / loss discovered after delivery

- Make sure that the packaging and seals are kept for survey findings.
- Send a notice of damage/loss to the carrier and / or any other alleged liable parties (registered letter with acknowledgment of receipt) no later than 3 days after delivery.
- To take photographs of the damaged goods and the container (if defects ascertained).
  - ⇒ Contact a surveyor only if damages are significant – **see the survey deductible specified in the insurance policy**  
The surveyor must be contacted in the shortest delay, no later than 3 days after delivery.

##### c. Survey findings (to be made before the end of the insurance coverage):

- In agreement with the surveyor, make sure that the carrier and any other alleged liable parties are officially invited to the survey.
- Allow the parties enough time to be represented (at least 48 hours)
- Do not take any decision regarding the goods without the surveyor's agreement

##### d. Time-bar

If complete files are not transmitted to insurers at the latest one month before the applicable time bar against liable carriers / companies, please prevent the expiration of the time to sue by obtaining the extension of the time-bar or by way of summons.

For information, the time bars generally applicable (unless otherwise specified) for carriage of goods are:

- By sea: 1 year from the date of arrival of the vessel
- By road: 1 year from the date of arrival of the truck
- By air: 2 years from the date of arrival of the plane (this time can be reduced to 1 year in case of intervention of a freight forwarder).

\*\*\*\*\*

**CAP-MARINE** claims departments (see below details) are at your disposal for any advice and to help you to:

- Follow these different steps, particularly when damages are significant and specific joint measures shall be made (such as letter of undertaking, arrest of vessel, amicable or judicial survey, etc.)
- Submit a complete claim file
- Draw up a notice of damage/loss, which has to be sent to the presumed liable party

**Nantes:** Claude Lejeune +33(0)240.69.01.53 [claud.lejeune@cap-marine.com](mailto:claud.lejeune@cap-marine.com)

**Paris:** Juliette Lamy +33(0)141.92.54.16 [juliette.lamy@cap-marine.com](mailto:juliette.lamy@cap-marine.com)

**Rouen:** Corinne Belanger +33(0)235.71.40.35 [corinne.belanger@cap-marine.com](mailto:corinne.belanger@cap-marine.com)  
Marie Gorge +33(0)235.98.26.46 [marie.gorge@cap-marine.com](mailto:marie.gorge@cap-marine.com)  
Valérie Renard +33(0)235.71.43.26 [valerie.renard@cap-marine.com](mailto:valerie.renard@cap-marine.com)