



## Guide to Cargo Claims Handling

### Our Cargo Claims Handling Process

Maersk continuously strives to improve customer service. Any situation that gives rise to a cargo claim is by nature trying. We will do our utmost to minimise your inconvenience. We have prepared this Guide to avoid misunderstandings about our claims handling process and to make the process as efficient and simple as possible.

#### Steps you should take

- 1. Notify your insurance underwriter, if any**
- 2. Contact Maersk Customer Service**
- 3. Engage a surveyor if necessary**
- 4. Mitigate cargo loss/further deterioration**
- 5. Collect documents**
- 6. Submit a quantified claim**
- 7. Protect against time bar**

#### 1. Notify your insurance underwriter

If damage or loss to your cargo is apparent upon receipt, you should notify your cargo insurance underwriters immediately, if such policy has been taken out. They will advise you how to comply with all procedures required to fully protect your insurance coverage.

#### 2. Contact Maersk Customer Service

At the same time, you should also contact your local Maersk Customer Service Department so that we may assist you in the most effective manner. You should do so 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 in Maersk's care and any possible aggravated damage after delivery. When contacting us, we would ask that you please have the following information readily available:

When you give us...	It helps us to...
Transport document number relevant to mode of transport, container number and cargo description	Identify the specific shipment at issue
Nature of the cargo damage/loss	Determine the course of investigation
Approximate value of damage/loss	Communicate properly with our own insurers

#### 3. Engage a surveyor if necessary

Please note that you are not required to engage a surveyor. There are, however, benefits in engaging one. Independent marine surveyors are professionals who are well-versed in examining damaged cargo and surrounding circumstances. They may spot issues, facts or conditions which an untrained eye may miss. In addition, they can often assist in loss mitigation.

The surveyors will summarise their findings in a report, which may form the basis for your claim for compensation from Maersk. You should weigh the expense of surveyors against the benefit of their work product and expertise, and make your decisions accordingly. Maersk should be notified in case you

intend to appoint a surveyor, in order to allow us to appoint our surveyor and conduct a joint inspection. If possible, the survey should take place while the cargo is still untouched in the container, or delivery condition, so as to provide the surveyors the opportunity to observe the cargo's stowage, bracing and blocking, damage pattern, and other points of interest.

#### 4. Mitigate cargo loss

Please note that 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. There may be alternate use for damaged goods. Repair or cure may also be possible, which may prove more economical and timely than re-ordering the same goods. Reasonable costs incurred in mitigation of loss may be included in your claim.

#### 5. Collect documents

You should take pictures of the sound cargo as well as the damaged cargo (so that we may compare them). The pictures should show not only the packaging or exterior of the damaged cargo but also the damaged goods or products. You should also take pictures of the container(s)—particularly if there is container damage— including a picture showing the container number(s). You should keep these pictures as evidence in the event that it becomes necessary for you to file a formal claim.

For reefer shipments, record the temperature, humidity and ventilation settings (if applicable) as well.

#### 6. Submit a quantified claim

Your formal claim should be submitted on your company letterhead, and include an itemised claim statement and calculation with the specific value of cargo damage or loss. It should also include the documents or items described in the table below. We refer to complete and well-supported claims as *quantified claims*.

We request...	Because it helps us to...
Maersk Transport Document	Identify the shipment or service at issue
Supplier's commercial invoice	Substantiate the value of the cargo
Packing list	Validate the cargo count and content
Survey report with original photographs	Assess the extent of damage or loss
Calculation of claim	Match against submitted documentation
Contract Reference Number or ID	Avoid disputes over the applicable contract and terms

Depending on the nature of your claim, we may request additional information, such as:	Because it helps us to...
Salvage receipt or destruction certificate	Confirm reasonable mitigation efforts or destruction
Temperature records (if applicable)	Assess any deviation in cargo temperature
Loading/Unloading tally	Substantiate cargo quantity at stuffing/destuffing
Delivery receipt	Verify receipt, check seal integrity and examine any exceptions
Equipment interchange receipts (if with you)	Verify container handover, check seal integrity and examine any exceptions
Export/import customs declaration	Corroborate cargo, quantity and/or value

*Note: These documents may be known by different names.*

## 7. Protect against time bar

In most cases, your claim is subject to a one-year statute of limitation, or *time bar*. If your claim should remain unresolved after the time bar from the date of delivery (or intended delivery if the shipment was lost), you must either initiate legal proceedings against Maersk or request, in writing, to extend the time to initiate legal proceedings. If you fail to take either step, our obligation to handle your claim will expire.

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

## 8. Terms and Conditions

### Steps we will take

1. **Acknowledge receipt of your claim notification**
2. **Engage a surveyor if necessary**
3. **Initiate an investigation of the cause of damage**
4. **Await your quantified claim**
5. **Acknowledge receipt of your quantified claim and request any missing documentation from you**
6. **Finalise our internal investigation**
7. **Evaluate the merits of your claim and the extent of Maersk's liability**
8. **Communicate the result of our investigation to you**

Please bear in mind that the sooner we receive your quantified claim, the sooner we can initiate our evaluation and assessment of the claim and this will help us identify any other relevant facts and conduct additional investigations as needed. Once our investigation is finalised, we will evaluate the merits of your claim in light of all relevant facts and in accordance with the terms and conditions of our contract of carriage (or service contract), applicable law and/or international carriage of goods conventions. In most ordinary claims, Maersk will resolve your claim within 30 calendar days from receipt of your quantified claim.

Maersk offers a wide range of products and the terms of your contract with a Maersk entity will vary according to the product. For instance, time bar limitations vary between 9 months for logistics &

services, 1 year for ocean and up to 2 years for certain other services. We encourage you to read and understand the terms and conditions of your contract of carriage or service contract and reach out to your local Customer Service or Sales representative if anything is unclear to you. Standard terms are available at [terms.maersk.com](https://terms.maersk.com).

We appreciate that some of the defences that may be invoked in our evaluation of your claim may not be common knowledge and may even sound foreign. However, cargo underwriters are well-versed in these provisions and will be able to deal with them efficiently and effectively. Please bear this in mind when deciding whether you should insure your cargo or not.

As a competitive alternative to cargo insurance, Maersk has launched [Value Protect](#), an extended liability solution which gives you peace of mind whilst your cargo is in transit with Maersk. Please refer to our website, by following the link above, for more information.

© A.P. Møller - Mærsk 2019

