

Freight forwarders combined liability

Fact Sheet

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Claims: What to do

No-one wants to be on the receiving end of a claim, but sometimes it happens. When it does, there are two questions that you need to have answered as quickly as possible - are you covered against the potential liability? And, what should you do to manage the claim? Our experienced claim team can help you with both of these questions, and will provide guidance on how to respond to the claim even when there is insufficient information to determine policy response. However, there are some things that you must do:

1) As soon as you become aware of any circumstance which may give rise to a claim against you, even if the claim has not yet been made you should immediately give written notice (with as much detail of the loss as you have) to every other party who was involved in the chain of carriage. This is because all statutes and carriage conventions require such notice to be given within very short time periods; and failure to give notice can mean that other parties escape liability. For that reason, it is better to give notice to too many parties rather than to too few. Make sure you keep copies!

2) You must notify us immediately of any potential claim, and as soon as you can after that, send us all the documents you have that relate to it. The documents we particularly need are itemised in your insurance policy. They are:

Completed and signed claim form

Copy of any statement of claim or letter of claim received by you

Copy of any response made by you

Original delivery docket signed by the receiver of any goods delivered by you

A legible copy of any consignment note (both sides)

A legible copy of any bill of lading or waybill (both sides)

A legible copy of the commercial invoice and packing list

3) It is likely that once we know of a potential claim, we will appoint an assessor or surveyor to investigate the circumstances and report to us. If we do appoint an assessor, it does not necessarily mean that your claim has or will be accepted, even if the assessor has a substantial involvement in managing the claim. While the circumstances sometimes mean that the position under the policy is obvious, there are other occasions when we need to await further information before making that decision.

Unless we have formally notified you that your claim has been accepted, it is not our responsibility to prevent further loss, damage or liability – it is yours. It is up to you to minimise the loss. You should take whatever steps you would have taken if you did not have insurance and expected to meet the loss yourself. Either our claims team or our assessor will help you to decide what to do but the final decision is yours. You will not prejudice your insurance by acting in this way. You **will** prejudice your insurance if you do not take all reasonable steps to prevent or minimise the loss.

Sometimes you will have to spend money to prevent or minimise the loss. If you do, and we accept your claim, then provided it was reasonable for you to have incurred cost (and the cost itself is reasonable) we will reimburse you for that.

4) In the event that the loss or liability arises in circumstances where theft, fraud, dishonesty or malicious damage are suspected, you must notify the Police within 72 hours.