

1. Objective
2. Start
3. Opening Claim Documents
4. Joint Survey
5. Claim Regulation
6. Duty of Mitigate the Losses
7. Insurance
8. Contacto
9. Legal Claim Procedure

TRANSITEX CLAIMS

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Other areas - consult our local offices

OBJECTIVE

The Claim procedure serves to communicate the existence of damage to cargo transported. Compliance with the minimum requirements is prerequisite for determining the causes and possible recovery of losses.

For this, the rules contained in this procedure must be followed by all those concerned, with direct support from the Claims Department Transitex.

START

The damage claim should follow the formal procedures initiated by sending Protest Letter / Initial Notice of Claim in time identifies problems with the charges for losses and damages.

In the Protest Letter must contain the description of the damages, reasons that indicate failures in transport services, estimated calculation of the amount of damages, indication of the physical location of the cargo and the justification for a Joint Survey.

OPENING CLAIM DOCUMENTS

Every CLAIMS for damages must be initiated by the Consignee at the destination, through administrative proceedings and upon presentation of the documents* listed below:

- Protest Letter / Initial Notice of Claim issued against Carrier;
 - Transport Receipt (BL / Waybill / CMR / AWB);
 - Commercial invoice;
 - Packing List;
 - Certificate of Insurance;
 - Report of inspection of goods;
 - Temperature Report (thermography) if refrigerated cargo.
 - Color photographs.
 - Crop Certificate or equivalent document indicating the date of harvest and packing if fruit or vegetables.
 - Other documents useful for evidence of damage;
- (*) These documents may be known by different names.

In case the documents listed above are not delivered or are presented in part, will be deemed the waiver of the complaint and lack of interest of future claims to the transporter involved, considering that the procedure is minimal presupposition indispensable to the opening of the claim with the carrier and the companies safe.

JOINT SURVEY

Before the container unstuffing, all involved should be invited as an opportunity to participate in joint survey. It is suggested that the schedule of physical inspection is done on time no less than 24 working hours (Monday to Friday), period started after the presentation of the documents listed in this procedure, reporting in details: date and time, address of survey, business phone, contact Name and Mobile.

CLAIM REGULATION

Loss adjustment is the phase of the Claim process in which Carrier and Insurance analyze all the causes and consequences of a complaint submitted by interested party.

The regulation of the claim is composed of documents and additional data obtained from the interested party and/or third party possibly involved, when it is made the calculate of the losses that will form the basis for indemnity payment.

Data and documents complementary are:

- Survey Certificate
- Inspection Report and photos
- Quality Control Report;
- Declaration of the losses and calculations with specific values of the loss or damage to cargo;
- Sales Invoice
- Certificate of Destruction;
- Assignment of Rights Instrument;
- Other documents according to the facts and extent of damage

(*) These documents may be known by different names.

DUTY OF MITIGATE THE LOSSES

The interested party who makes a complaint of damage (Letter Protest / Initial Notice of Claim) shall carry out all necessary and reasonable efforts to mitigate losses. These measures take into account the claimant's responsibility to limit losses, it included all precautions to protect the load value and avoid extent of the damage.

INSURANCE

If any damage or loss of cargo are confirmed, the applicant must immediately notify the insurance company to will follow all stages of the claim procedure and supplementary instructions to the beneficiary of the insurance policy.

CONTACT

The consignee shall submit the claim to the Carrier Local Agent and Transitex in place of destination. The Protest Letter / Initial Notice of Claim and documents need to be presented immediately, because the delay in formalizing of the claim prejudice the rights of the parties involved. The complaint submitted late ie out of time related to the sinister event will hamper the investigation of merchandise conditions at the time of delivery. Thus it is not possible distinguish incidents during transport and any other possible damages occurred after delivery of the goods or na inherent defect, quality or vice of that cargo.

LEGAL PROCEDURE

Important to consider that some defenses that may be published during the conduct of Claim procedure by transporters and Transitex may not be accepted and even cause discomfort to the complainants, however, responsible for examining the claims are professionals trained to conduct the processes of efficient manner. It is necessary that shippers and receivers to consider these criteria related to bureaucratic procedures and the legal procedure at the time that deciding on to hire or not to hire the cargo insurance.