

Identifying Damages & Settling Claims

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Insurance = Promise to Pay



Perils covered under Marine Insurance Policy:

1. Actual Total Loss or Constructive Total Loss.



Perils covered under Marine Insurance Policy:

2. Particular Average



Perils covered under Marine Insurance Policy:

3. General Average Claims.



Perils covered under Marine Insurance Policy:

4. Collision Liability.



Perils covered under Marine Insurance Policy:

5. Sue and Labour Expenses.







Steps:

1. Crew ok?
2. What Happened?
3. Where are we? Location.
4. Temporary repairs?
5. Do we need salvage assistance?
6. Where do we go? Port of refuge?
7. Cost of repair.
8. Loaded or ballast?



Next Steps:

1. Advise Underwriters, via broking channels.
2. Appoint a Consultant.
3. Appoint an Independent Adjuster.



Goal to meet for repairs:

- Vessel to be repaired in the best possible way,
- at the best possible cost,
- at the best possible timeframe.

Win – win relationship



For a claim to be paid:

- It is important that the cause and the cost are agreed by Underwriters.
- It is essential that Owners prove that the cause of the incident is proximately caused by a peril insured against.

DOCUMENTATION REQUIRED FOR PREPARATION OF CLAIM SUBMISSION TO INSURERS

Some documents are **identical** for all types of hull claims. These are:

- Deck and engine room log books covering the casualty and if possible the repair period(s).
- Master's and/or chief engineer's detailed report and/or notice of protest as relevant.
- Underwriters' surveyor's report and account (if settled by shipowners and not directly by Underwriters).
- Owners' superintendent report and account.
- Classification society surveyors' report and account.
- Accounts for repairs and / or spare parts given by shipowners in connection with the repairs which normally have to be endorsed by the Underwriters surveyor as fair and reasonable.
- Accounts for dry dock expenses and general expenses, again to be endorsed by the Underwriters' surveyor as fair and reasonable.
- Accounts covering incidental expenses, such as port charges, communication expenses, agency expenses, watchmen if necessary, etc.
- If any Owners' repairs are effected concurrently with the damage repairs, these have to be provided to the adjuster so that he can effect the appropriate apportionment.
- Copies of faxes/ e-mails sent and details of long distance calls made in connection with the casualty together with costs.

IDENTIFIED COLLISION CASE

When we have an identified collision case we will need to collect:

1. Details of steps taken to establish the liability for the collision and the eventual settlement made between the two parties.
2. All necessary documents proving owners' colliding vessel's loss for recovery purposes (for example proof of time lost, cost of repairs, legal fees etc.).
3. A detailed copy of any claim received from the other vessel together with details of which items included in the claim have been agreed.
4. Details of efforts to limit liability.

VESSEL REMOVAL

If we have to move our vessel for repairs and thus have subsequent expenses we will need to collect documents proving:

1. The reason for the removal. Is it after a grounding, is it a fire claim, etc?
2. Deck and engine room log extracts covering the removal passage or details of
3. a) The last port prior to the repair port and the first port thereafter
4. b) Details of the dates of arrival/ departure at the relevant port
5. Details of fuel and stores used during the removal indicated and the cost of their replacement.
6. Portage bill showing the wages of the officers and crew, covering the period during the removal to the repair port and also for the return passage if the vessel returns to her original port. The cost of maintenance for the officers and crew should also be stated.
7. Accounts for temporary repairs if they were effected solely to enable the vessel to proceed to the repair port.
8. Details of owners repairs if any effected at the repair port together with the relevant cost.



General Average

Happy Crew



When the claim is settled...

... gather around the table and discuss:

- How did this happen?
- **Why** did it happen?
- Could we have **avoided** it?
- What **precautionary measures** can be taken so that this does not happen again?



Insurance is a Long Term Relationship



The background is a smooth blue gradient, transitioning from a lighter blue at the top to a darker blue at the bottom. A bright sun flare is visible on the left side, creating a shimmering effect across the blue field.

Thank You