



Cargo Claims

What to do when your cargo is lost or damaged



Damage



Should you receive cargo in damaged condition, Blue Water Shipping recommends that you follow below advice on documentation and notification.

Visible

Secure evidence

1. Inspect the external condition of the shipment
2. Note your reservations on the consignment note, and have the driver sign it, if the cargo is visibly damaged.
3. In in doubt whether the cargo is damaged, you should note your reservations just in case
4. Photograph the damage, avoid moving the cargo, and limit the damage.

Register your claim

1. Immediately hold your freight forwarder / shipping agent responsible in writing.
2. Register your claim with the cargo insurance provider. Depending on the extent of the damage, a physical inspection may be carried out by a surveyor.
3. Send documentation in the form of signed consignment notes, invoices and booking/ agreement.

Not visible

1. Inspect shipment content as soon as possible - claims must be registered within a few days.
2. If you fail to meet the claim deadline, the burden of proof rests with you. In the worst case, you may be excluded from compensation for damage during transport.
3. Photograph the damage, avoid moving the cargo and limit the damage.
4. Register your claim as described under “Register your claim” items 2 and 3.

Loss



Missing parcels

1. Recount and note your reservations on the consignment note.
2. Immediately hold your freight forwarder / shipping agent responsible in writing.
3. Register your claim with the cargo insurance provider.
4. Send documentation in the form of signed consignment notes, invoices and booking/agreement.



Further information on Incoterms, claim deadlines, liability limitations and the difference between cargo insurance and liability insurance on www.bws.dk

Carrier liability

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		Sea	Road	Rail	Air
Basis of liability	Denmark	Søloven (Merchant Shipping Act)	NSAB 2015 General conditions of the Nordic Association of Freight Forwarders	Lov om jernbanevirksomhed.	Luftfartsloven af 1994. (Danish aviation law)
	Internationally	Hague Visby Rules.	CMR Convention.	CIM Convention.	Warsaw Convention.
Claim deadline	Visible damage	Immediately.	Immediately.	Immediately.	Immediately.
	Non-visible damage	3 days from delivery.	Denmark: 7 days from delivery. Internationally: 7 days from delivery except Sundays and holidays.	7 days after delivery.	14 days after delivery.
	Delays	60 days after delivery.	Denmark: 14 days after delivery. Internationally: 21 days after delivery.	60 days after delivery deadline.	21 days after delivery.
Period of limitation	Denmark	1 year from delivery + suspension.	1 year from delivery + suspension.	1 year from delivery + suspension.	2 years from delivery
	Internationally	1 year from delivery + suspension.	1 year from delivery + suspension.	1 year from delivery + suspension..	2 years from delivery
Liability limitation	Denmark Loss / damage:	SDR 2.00 per kilo or SDR 667.00 per unit.	Max. 8.33 SDR per kilo.	Full load: SDR 17. Part load: SDR 8.33 per kilo gross weight.	22 SDR per kilo.
	Delay:	2,5 x freight for the delayed cargo, limited to the max. total freight amount.	Limited to freight amount.	Max. 3 x freight amount.	
	Internationally Loss / damage:	SDR 2.00 per kilo or SDR 667.00 per unit.	8,33 SDR per kilo + duty, freight etc.	17 SDR per kilo gross weight.	22 SDR per kilo.
	Delay:	2,5 x freight for the delayed cargo, limited to the max. total freight amount.	Limited to freight amount.	Max. 3 x freight amount.	

Rules and conventions governing transport

Four transport types are normally included when discussing transport law: Sea transport, governed by the Hague Visby Convention, and transport by road, which is governed by the CMR Convention. Rail transports are governed by the CIM Convention, and air transports by the Warsaw Convention.