

## WORLD WIDE CLAIMS SERVICES

### THEFT OF CONTAINERS

*Readers may recall that in our Newsletter of March 2015, we had reported incidents of theft of laden containers. These types of incidents continue to occur and WWCS have been involved in handling some of these cases. A few such incidents are narrated in this Issue.*



A Transport company received instructions to transport steel coils from Sharjah to Riyadh, Saudi Arabia. The cargo was loaded at the supplier's warehouse in Sharjah. It was late evening by the time the truck left the warehouse after loading. The driver decided to rest for the night before embarking on the long drive to Riyadh. He parked the truck and trailer on a side road not far from his house in Sharjah. In the morning it was discovered that the truck and trailer have been stolen sometime during the night. A police complaint was lodged. After a few days, the truck was found abandoned and the entire cargo missing.

***“Knowledge will give you Power; But character will give you Respect”***



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The Transporter had Haulier's Liability Policy. The Insurer initially rejected the claim alleging "infidelity" of the driver. It was pointed out to the Insurer that the driver was declared innocent by the Police. The Insurer then shifted their allegation to "failure to take precautions for the safety of the property". The Insured argued that the driver acted prudently by deciding to rest for the night before embarking on the long drive to Riyadh. Driving through the night deprived of sleep would have been risking accident to the vehicle. In any case, he would have had to rest on the way during the 4-5 days drive. Instead, he parked the vehicle closer to his home rather than in an unknown location en route. The truck was also locked as per normal practice. However, the Insurer did not agree with the Insured's contentions and the claim was not paid.

*The driver took a risk by leaving the laden truck in the open while he went to sleep in his house. He should have left the laden truck overnight at the supplier's premises and commenced the journey from there only in the morning. It always pays to be cautious.*

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A Merchant in Dubai contracted with a buyer in Thashkent to ship 3 container loads of consumer goods. They arranged the shipment through a Forwarding company. The containers were first shipped by sea to Bandar Abbas and then transported by road to Thashkent. The sale terms were "payment within 60 days from date of bill of lading". When the shipper did not receive the payment, he tried to contact the buyer, but he was not traceable. The containers had also disappeared. A private investigator was appointed but he could not trace



*"Happiness isn't getting all you want. It is about enjoying all you have".*



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the buyer or the missing containers. The shipper lost his cargo and did not receive payment either. The obvious conclusion was that the buyer colluded with the transporter and disappeared with the cargo. The Merchant was advised to take up the matter with the Forwarder who had arranged the shipment including the road transportation.

*The Merchant was dealing with this buyer for the first time and still gave him 60 days credit for the payment. Merchants should always be very careful when dealing with unknown buyers. They should take adequate steps to ensure that their interests are protected.*

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A Merchant in Dubai instructed a Forwarding Co. in Italy to arrange a shipment of gear boxes and accessories from Italy to Maldives. The Forwarder collected the consignment from the supplier in Turin and brought the truck to their warehouse in Milan. Their intention was to keep the truck/cargo in their warehouse overnight and transport it to the loading port on the next day. The truck was parked inside the warehouse perimeter fence which

had one entry/exit gate. All the shipping documents were kept inside the truck. The truck and trailer with the cargo was reportedly stolen on the same day between 3 pm and 6 pm. Various trucks and trailers were reportedly coming and leaving through the gate during this period. Apparently this truck was driven out either without proper checking or with the connivance of the person (s) at the gate. Though a police complaint was lodged, the cargo could not be traced.

*Such incidents are very common in Italy. The theft took place in broad daylight and that too from inside a secured area. This highlights the organized crime in the country. It is always advisable to transport the cargoes from the supplier's premises directly to the port. Besides, the transportation should be so timed to ensure prompt loading onboard without delay in the Port.*

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***“Sometimes things that hurt you most, teach you the greatest lessons in life”***



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This incident involved a shipment of household appliances from Malov in Denmark to Jebel Ali. The Forwarder collected the cargo from the supplier's premises in Malov and transported by road to Antwerp for onward shipment to Jebel Ali. The truck with the cargo did not arrive Antwerp and was reported missing. Though a police complaint was lodged, it could not be traced.

The Forwarder was questioned as to why the cargo was transported by road to Antwerp for shipment when there were other ports nearer to Malov. Their response was that there were less LCL shipments from Denmark to Jebel Ali and hence such cargoes are usually routed through Antwerp to Jebel Ali.

*It is not clear whether the Forwarder's explanation for transporting the cargo to Antwerp is correct. It is always advisable to discuss with the Forwarder before hand about the routing of the cargoes.*

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### **DO YOU KNOW WHY ????**

*If swimming is good exercise to reduce weight, why are whales FAT ?*

*Why is the place in a stadium where people SIT is called a STAND ?*

*If there is freedom of speech, why do we have telephone bills ?*

*If money does not grow on TREES, then why do banks have BRANCHES ?*

*Why do you still call it a BUILDING if it is already BUILT ?*

*If you are not supposed to drink and drive, why do bars have parking lots ?*



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