



WORLD WIDE CLAIMS SERVICES

Established in 2004

Licensed under Dubai Economic Dept.

Claims Consultancy

and

Claims Recovery

in respect of

Sea Carriage, Airfreight , Road Transport

and

Property claims



- "SOLUTION FOR ALL YOUR CLAIMS" -

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WORLD WIDE CLAIMS SERVICES

We wish all our Readers
Merry X'mas
and
Happy, Peaceful and Prosperous
New Year

EX GRATIA PAMENTS UNDER CARGO POLICY.

A dealer in electronic goods imported a consignment of Television Receivers from Malaysia to Dammam. Upon arrival of the container at Dammam, the consignee noticed a number of cartons in wet damaged condition. There was a hole on the roof of the container through which the water had obviously seeped in affecting the cartons. Though the cargoes inside the cartons were found unaffected, the consignee alleged that they cannot sell those goods as the manufacturer's original packings are damaged. They claimed for total loss. The Insurer negotiated with the consignee and made an ex gratia payment.

WWCS was appointed to recover the claim from the Carrier. Since the damages happened due to ingress of water through a hole in the container, the Carrier was not in a position to dispute liability. However, they questioned the ex gratia payment made to the consignee which was not based on a factual assessment of loss. They rejected the claim initially, but following protracted negotiations, we managed to secure a percentage settlement of the claimed amount.

If the consignee had repacked the goods after importing fresh cartons from the manufacturer, the claim would have been higher than the ex gratia payment made by the Insurer. Actually the Insurer had mitigated the claim by way of ex gratia payment. While an Underwriter's intentions to minimise the eventual claim by making ex gratia payment can be appreciated, it should be borne in mind that recovering such amount from a third party would be difficult. Our task would have been easier if the consignee had obtained a quotation from the manufacturer for the repacking.

“ Adjustments with Right people is always better than Arguments with Wrong people”





LIABILITY INSURANCE

A Freight Forwarder on behalf of their customer in Dubai had arranged to bring a shipment from Europe. It was a LCL shipment and was received in a third party warehouse. There was an ongoing financial dispute between this Freight Forwarder and the warehouse owner. As a result, the warehouse owner refused to deliver this cargo. Legally, the warehouse owner had no right to withhold the cargo as the ongoing dispute with the Freight Forwarder had nothing to do with this particular consignment which belonged to a third party. The intention was obviously to pressurise the Freight Forwarder to settle the dispute.

According to the Freight Forwarder, it was an unsubstantiated claim and they did not owe anything to the warehouse owner. They would have succeeded in clearing the cargo if legal action was initiated against the warehouse owner, but such legal process would have been time consuming. Unfortunately, they were caught in a difficult situation as they were also under pressure from their customer to deliver the cargo without delay. They were therefore forced to settle the amount demanded by the warehouse owner although they were not liable.

The Freight Forwarder did not have Liability Insurance. If they had, the Insurer could have assisted them in this situation. Many Freight Forwarders are still reluctant to pay premium and take insurance cover.

SANDBOX PROJECT

The insurance “sand box” is a project that allows Insurers and technology companies to experiment with new products and technology on a live audience under supervision of a country’s Regulators. The purpose is to help the regulator to gauge real life implications of new technologies before licensing their use commercially. Some of the products tested are Mobile Application Services, Data Analytics, Block Chain, Artificial Intelligence, Small Contracts, Cyber Security Products and Online Market basis.

“Life is a choice between Ageing and Growing.

Ageing adds years to Life and Growing adds Life to years.”

..... Page 3



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A brain twister for the year end

Guess the word

It is a 9 letter word 123456789

- If you lose it, you die.
- If you have 234, you can 1234
- 56 is one type of disease.
- 89 indicates exact location and time.
- 2 and 7 are same letter. 3 and 8 are same letter. 5 and 9 are same letter.

I am a 5 letter word

- I am normally below you
- If you remove my first letter, you will find me above you.
- If you remove my first and second letters, you can't see me.

I



Cont..



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