

# MARINE CARGO INSURANCE POLICY

The MAPFRE Middlesea p.l.c. (hereinafter called "the Company") hereby agrees, in consideration of the payment to the Company by or on behalf of the Assured of the premium specified in the Schedule, to insure against loss damage or expense in the manner hereinafter provided.

In witness whereof this Policy has been signed on the date stated in the Schedule

On behalf of the Company



**ETIENNE SCIBERRAS**  
PRESIDENT &  
CHIEF EXECUTIVE OFFICER



**OLIVIA DARMANIN**  
CHIEF OFFICER - TECHNICAL

For the adjustment and settlement of claims under this Policy the Marine Insurance Act 1906 shall apply.

It is agreed that the printed wording of the policy as well as the clauses referred to in the Schedule shall be overridden by any special terms or clauses, inconsistent therewith, inserted in or attached to this policy.

Notwithstanding the date of issue of this Insurance, Cover is effective from the date of shipment or dispatch or in case of combined transport the date of taking the goods in charge.

The attached clauses and endorsements form part of this Contract.

## **PROCEDURE IN THE EVENT OF LOSS OR DAMAGE FOR WHICH THE COMPANY MAY BE LIABLE**

### **EXPORTS**

In the event of loss or damage which may result in a claim under this insurance the Consignees should contact immediately the Party nominated in the Policy for advice of loss or damage. Thereafter the Consignees should present all supporting documents, as set out below under "Documentation of Claims", to the Party named for settlement of claim.

### **IMPORTS**

In the event of loss or damage where the Company's liability may be involved it is essential that the Company be informed immediately in order that they may consider whether or not a survey is required to establish the extent of loss or damage. You should, therefore, contact the office of the Company who issued the original policy who will instruct you in the steps to be taken and the documentation required.

### **DUTIES OF THE INSURED**

It is the duty of the Insured and their Agents, in all cases, to take such measures as may be reasonable for the purpose of averting or minimising a loss and to ensure that all rights against Carriers, Bailees or other third parties are properly preserved and exercised. In particular, the Insured or their Agents are required:-

1. To claim immediately on the Carriers, Port Authorities or other Bailees for any missing packages.
2. In no circumstances, except under written protest, to give clean receipts where goods are in doubtful condition.
3. When delivery is made by Container, to ensure that the Container and its seals are examined immediately by their responsible official.

If the Container is delivered damaged or with seals broken or missing or with seals other than as stated in the shipping documents, to clause the delivery receipt accordingly and retain all defective or irregular seals for subsequent identification.

4. To apply immediately for survey by Carriers' or other Bailees' Representatives if any loss or damage be apparent and claim on the Carriers or other Bailees for any loss or damage found at such survey.
5. To give notice in writing to the Carriers or other Bailees within 3 days of delivery if the loss or damage was not apparent at the time of taking delivery.

NOTE: The Consignees or their Agents are recommended to make themselves familiar with the Regulations of the Port Authorities at the port of discharge.

### **DOCUMENTATION OF CLAIMS**

To enable claims to be dealt with promptly, the Insured or their Agents are advised to submit all available supporting documents without delay, including when applicable:-

1. Original policy or certificate of insurance.
2. Original or copy shipping invoices, together with shipping specification and/or weight notes.
3. Original Bill of Lading and/or contract of carriage. (Full set in the event of a total loss).
4. Survey report or other documentary evidence to show the extent of the loss or damage.
5. Landing account and weight notes at final destination.
6. Correspondence exchanged with the carriers and other Parties regarding their liability for the loss or damage.

# Complaints Procedure

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We are committed to providing good quality services. We recognise that a client may not be satisfied with the service provided. To deal with this we have a complaints procedure. For the sake of clarification, a complaint is broadly defined as being a written expression of dissatisfaction with services that we provide or actions we have taken that require a response.

## HOW TO COMPLAIN

### STEP 1 – CONTACTING THE COMPANY

The first step is to talk to a member of our personnel or of the intermediary if the Policy was arranged through one. This can be done informally either directly or by telephone.

Usually the best person to talk to will be the person who dealt with the matter you are concerned about as they will be in the best position to help you promptly and to put things right. If they are not available or you would prefer to approach someone else then address the matter to the manager or senior person responsible. We will seek to resolve the problem immediately. If we cannot do this then we will take a record of the concern and arrange the best way and time for getting back to you. This will normally be within two working days.

### STEP 2 – TAKING THE COMPLAINT FURTHER

If you are still unhappy, the next step is to put the complaint in writing, addressing it to Complaints Officer, MAPFRE Middlesea plc, Middle Sea House, Floriana FRN 1442 or via e-mail on [compofficer@middlesea.com](mailto:compofficer@middlesea.com). Your communication should set out the details, explain what you think went wrong and what you feel would put things right. If you are not happy about writing it, you can always ask one of our staff members to take note of the complaint which you will be then asked to sign. You will be provided with a copy for your own reference. This record will be passed promptly to the Complaints Officer to deal with.

Once the Complaints Officer receives a written complaint, it shall be fully investigated. The complaint will be acknowledged in writing within five working days of receiving it and the letter will state when you can expect a full response. This should normally be within fifteen working days unless the matter is very complicated such as where other organisations need to be contacted. Where this is the case we will still let you know what action is being taken and will inform you when we expect to provide a full response.

### TAKING YOUR COMPLAINT ELSEWHERE

If you are still not satisfied with the Complaints Officer's response, you can always seek advice elsewhere. You may contact:

Office of the Arbiter for Financial Services  
N/S in Regional Road,  
Msida MSD 1920  
Malta  
Telephone: 8007 2366 or 21249245  
E-mail: [complaint.info@financialarbiter.org.mt](mailto:complaint.info@financialarbiter.org.mt)  
Website: [www.financialarbiter.org.mt](http://www.financialarbiter.org.mt)

The Office of the Arbiter will expect that you have a final reply to your complaint from us before approaching them.

All communications and notices regarding the policy should quote policy number and renewal date and addressed to:

MAPFRE Middlesea p.l.c.  
Middle Sea House  
Floriana – Malta

E-mail: [mapfre@middlesea.com](mailto:mapfre@middlesea.com) Website: [www.mapfre.com.mt](http://www.mapfre.com.mt)

### **MARINE CARGO INSURANCE POLICY**

Please read the conditions and examine the policy carefully and if it is incorrect or does not provide the cover required return the document immediately for alteration

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