



MARITIME ENGINEERS PTY LTD

A Member of James Fisher and Sons plc

96 Marine Terrace, Fremantle WA 6160

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MARINE INSURANCE CLAIMS GUIDANCE NOTES FOR THE ASSURED (THE VESSEL OWNER)

This information is provided for guidance only by Maritime Engineers Pty Ltd

DEFINITIONS

1) The Broker

Your broker is the point of contact between you and the Underwriter. The broker should assist you with:

- 1. Policy interpretations*
- 2. Lodging a claim form*
- 3. Advising you of the progress of your claim*

2) The Underwriter

The only person who can accept or decline liability for your claim is the Underwriter.

The Underwriter has an insured interest in your vessel and you are obliged to protect his insured interest just as his policy protects your interests. The Underwriter will appoint a Marine Surveyor/Assessor to advise him of the circumstances of the casualty and technical aspects of the damage, cause, repair and estimates of cost.

3) The Underwriters Surveyor/Assessor

The person who will examine the circumstances of your casualty and respond to specific instructions from the Underwriter.

*The Surveyor may further be asked to assess and adjust the amounts claimed for repairs or recovery of your vessel and submit a Final Assessment to Underwriters for consideration of a settlement. This settlement is made by the Underwriter **IF AND ONLY IF** the circumstances of loss comply with all of the terms and conditions of your Insurance Policy.*

*The Surveyor may **IF REQUESTED BY YOU**, assist with suggested salvage experts or repairers **TO RETURN YOUR VESSEL TO ITS PRE-INCIDENT CONDITION** (without betterment).*

(This advice is only given if asked for by you and does not imply acceptance of liability for the claim or for the actions of those persons suggested).



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OWNERS RESPONSIBILITIES

1. **OWNERS HAVE A LEGAL RESPONSIBILITY TO MITIGATE THE EXTENT OF LOSS** - You **MUST** undertake all means available to recover and repair your vessel to its pre-incident condition **WITHOUT BETTERMENT** at the most economical cost - This includes any towage or salvage charges you may incur. (*)
2. **IN THE EVENT OF A CASUALTY, YOUR VESSEL ALWAYS REMAINS YOUR RESPONSIBILITY TO RECOVER, RESCUE OR REPAIR** - Owners **MUST** undertake their repairs and recovery in a prudent manner as if they were uninsured.
3. Ensure that you have lodged a claim form with your Broker.
4. Advice may be sought from the Underwriters Surveyor if you are unsure of how to arrange the salvage or repair of your vessel.

(This action in no way acknowledges Underwriters liability for the claim and is not binding on the Underwriter to accept the claim. Nor does the Underwriter or the Surveyor accept liability for the actions of the repairer).

5. **REPAIRS**

THE CONTRACT OF REPAIR IS ALWAYS BETWEEN YOURSELF AND THE REPAIRER and you must satisfy yourself that the repairer you appoint can repair your vessel to its **PRE-INCIDENT CONDITION** (without betterment) at the most **FAIR AND REASONABLE COST**. (Overtime is not normally accepted unless it is in the Underwriters best interests).

6. **YOUR BROKER** should make the terms and conditions of your policy and the extent of your cover clear to you and all queries should be directed back to him. *The Underwriters Surveyor usually is not made aware of your policy conditions and therefore cannot advise you on these matters.*
7. **SETTLEMENT** will be made by the Underwriters, directly to you. Irrespective of how long settlement may take, you are obliged to adhere to your repairers Terms of Payment. Arrangements may be made by your Broker to have some repair costs paid directly to the repair contractor, however this is always at the discretion of the Underwriters.
8. **MOST IMPORTANTLY - READ YOUR POLICY** and understand the Terms and Conditions, the Exclusions and the amount of your excess payable with each claim.
9. **FOR ANY OTHER DETAILS - CONTACT YOUR BROKER.**

(*) Marine Insurance Act (1909)

This section must be completed and returned to Maritime Engineers Pty Ltd

I, _____, as representative of the Assured, confirm I have read and understood my obligations in respect to the damage claim (file reference No. _____) for the vessel " _____ ".

Name: _____ Date: _____
Signature: _____ *(signature not required if completed electronically)*