

**Making  
a claim**





# **Your guide to making a claim**

We have provided this handbook to ensure you are clear on what to do in the event of a claim. We have also provided information and claims notification forms on our website [www.ttclub.com](http://www.ttclub.com) so that anyone in your company can access information at any time.

# What to do in the event of a claim

## 1 What to do when an incident occurs

The following is a brief list of actions to be taken in the event of a claim or event likely to lead to a claim.

- You should notify your appointed claims contact.
- Do not admit liability but inform the claimant you are investigating.
- Investigate the cause of loss or damage and take steps to avoid any further damage.

- Retain all evidence and all documentation.
- Consider whether a survey is required or useful.
- Take the necessary steps to mitigate or minimise losses and protect your rights of recourse.

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## 2 Notification of claims

It is important that you notify the Club office or Network Partner specified in your Certificate of Insurance (COI) of all claims or events likely to lead to a claim, as soon as possible. The appropriate team email address will be provided on your COI.

If you need to contact someone outside office hours you should use our 24 hour claims line on +44 (0)7000 882582.

You are required by the Club's terms of cover to make this notification as soon as possible – and in any case not later than three months after the event. It is recommended that the

responsibility of liaising with us on claims matters should be delegated to a specified person in your office or via your broker where appropriate.

If you are unsure whether a matter is covered – for example you think it may be below your deductible or outside your cover – you should still notify us. All possible bodily injury claims must be notified, even if the claim appears to be below the deductible.

We will advise on cover and may be prepared, at our discretion, to offer assistance even if the matter is not covered.

**When notifying us of a claim, please supply the following information:**

- Incident date
- Date reported to you
- Your reference
- Your function (i.e. haulier, stevedore, NVOC etc)
- Incident location i.e. nearest town, together with state/country
- Incident description
- Value of claim, i.e. amount claimed, if known.

**The nature and extent of information will differ according to the type of claim. Where available, please detail or attach the following:**

- Contractual conditions (if applicable, i.e. standard terms, bill of lading or air waybill)
- Accident reports or statements
- Photographs
- Details of any other parties involved (eg. claimant, third parties or subcontractors)
- Internal and external correspondence relating to the incident.

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## 3

### **Documentation**

The circumstances of a claim, or the events likely to lead to a claim, should be documented. In particular, documents such as accident reports, gate passes, discharge reports, customs reports, bills of lading and delivery documents should be retained.

In some jurisdictions these documents may be discoverable and it may be appropriate to instruct lawyers to investigate and collect documents in order to retain privilege. We would ask you to consult with us before instructing a lawyer.

# How we handle your claim

## 1

### **Assistance by the Club**

The level of assistance provided by us in handling a claim will depend, among other things, on your own preference. Our Service Commitment is to agree on a Claims Handling Protocol with you. You may handle the claim yourself with advice and support from your broker or us. However, at your request, if the claim

becomes complicated or there are commercial factors which mean that you wish to place the matter 'at arms length', we will take over the claim. This would normally be the case if there is a lawyer or other insurer involved on behalf of the claimant. We provide indemnity insurance\* and you must obtain our agreement before settling any claim covered by us.

## 2

### **Who handles your claim?**

The Club has contracted with the Managers, Thomas Miller, to supply claims handling services. The Managers maintain offices in locations around the world and have supplemented this coverage by sub-contracting to specially selected independent offices, known as Network Partners. In this way, we have sought to bring the claims

service closer to you, into a similar time zone and, where possible, in your own language. Both the Managers and Network Partners have authority to settle claims on behalf of the Club.

There is ongoing liaison between the claims handlers around the world, which ensures that we retain the necessary control of claims handling.

## 3

### **Costs of handling claims**

All claims work carried out, whether by the Managers, Network Partners or other suppliers (e.g. surveyors and lawyers) is subject to a fee, which is entered against the claim record. Generally, these fees are calculated with reference to the time taken to deal with the issue. The

work undertaken by the Managers is placed on the claim record by a mechanism known as 'ACCORD' (Attribution of Claims Costs on Record), which is approved by the Club Board. In this way, your record accurately reflects the level of service provided, regardless of who is actually providing that service.

\* You pay the claim in the first instance and then seek reimbursement from the Club (see Section 10).

# 4

## Meetings with us

We can visit you to discuss a claim, offer training to your claims handlers and provide loss

prevention support. Alternatively, you are welcome to make a visit to us. Please speak to your broker or claims contact to arrange this.

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# 5

## Recourse

You are obliged under your terms of entry to protect your rights of recourse and our subrogated rights, as insurers against other parties. This includes your sub-contractors, who may have caused or contributed to an incident for which you are likely to be held liable, or who may otherwise be liable.

In order to preserve these rights of recourse you must assume that it is necessary to:

- Notify the recourse party immediately – many contracts require notification within a week or less
- Take steps to avoid the claim becoming time barred.

If you have any doubts on this matter, you should discuss recourse with your claims contact.

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# 6

## Time bars

A time bar period is the period within which you can start a legal claim against a third party. This may be six months, or even less, in some jurisdictions. To interrupt a time bar it is necessary to obtain a written time extension or issue proceedings

You should consult with your claims contact before considering either of these steps.

## **7** **Time extensions**

If you are asked to give a time extension, you should refer the matter to us before granting it. It may be that we will advise against granting the extension. If for some reason you are unable to get hold

of us in matters of extreme urgency and you have to grant the extension without consulting us, this should be done without prejudice to liability and for as short a period as acceptable to the claimant.

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## **8** **Lawyers**

You should always contact us before appointing a lawyer. There is considerable expertise amongst our staff, and Network Partners, which means that a claim can either be

handled without the appointment of a lawyer or a recommendation can be made regarding an appropriate appointment.

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## **9** **Guarantees**

The most common guarantee provided by us is in respect of General Average or Salvage contributions. We have long standing arrangements with both salvors and average adjustors which enables security to be issued promptly and efficiently causing minimum disruption to your

business. This can either be for contributions on equipment insured by us, or to release containers of groupage cargo where a forwarder Member may find it difficult to collect in time individual guarantees on all consignments. We may require a counter-guarantee for the applicable deductible.



# 10

## **Presentation of claims for reimbursement**

After approval by us and payment of a claim for your legal liability, you may submit a claim for reimbursement from the Club.

Your request for reimbursement should be accompanied by reasonable evidence of the payment by you of the subject claim. To process a reimbursement we will require:

- Summary of the claim amount, applicable deductible(s) and net reimbursement request presented on your company letterhead

- Documentation to support each element of your claim
- An executed release with the claimant
- Copy of the payment made by you to the claimant
- Your bank details. We have a bank request form which can be downloaded from our website.

You must present your claim for reimbursement to us within one year of paying a liability claim or, in the case of loss or damage to your insured equipment, within one year from the date of the loss.

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# 11

## **Credit control**

Please note that we are unable to reimburse claims or provide guarantees on your behalf if you have any outstanding payments due to us.

If you make a claim on us that is held for this reason, we will immediately communicate with you or your broker to resolve the matter. (See Section 9 for a note on guarantees).

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**We take great pride in our claims handling service, positive attitude to claims and speed of reimbursement. We encourage you to provide us with feedback which should be provided to your claims contact or emailed to [marketing@ttclub.com](mailto:marketing@ttclub.com)**



TT CLUB  
IS MANAGED  
BY **THOMAS  
MILLER**

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