

PRESENTATION TO CESAM
Friday, 30th March 2007

*Legal Advice to Cargo Surveyors on Protecting
Recovery Prospects against Third Parties*

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Get there quickly!



- Importance of earliest possible attendance/interim advice
- We, the lawyers, may recommend immediate steps to obtain security from shipowners/the P&I Club to secure the claims

Establish Who is Who

- **Owners**
- **Charterers**
- **Disponent Owners**
- **Managers/Operators**

Obtain Your Dates



- **Voyage History**
- **Date of Loss**
- **Date of Departure/Arrival at Discharge Port**
- **Article III Rule 6 of Hague/Hague-Visby Rules**

Cover Causation not only Quantum

- **For example,**

- Hatch covers
- Inherent vice



- Contamination from other/previous cargoes
- Stowage arrangements



- **Pre-loading and post discharge damage**

- **One bite of the cherry**

Mitigation of Loss – Is it reasonable?

- Has the Shipowner taken reasonable steps?
- Early segregation
- Fair auction of distressed cargo

Obtain, if possible, Copies of Ships Documents/Evidence

- The eyes & ears for Insurers
- You are Inspector Clouseau....



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