



# Delivery reservations let's remain vigilant...

**As soon as you receive goods, you become responsible for them.**

**Check all goods** If you observe damages on delivery, it is IMPERATIVE that you notify any reservations.

**The time factor is crucial...**



**So that your liability is not incurred, certain precautions need to be taken.**

## ① Look at the condition of the goods



**Before signing the delivery note, check:**

- that the goods presented are **meant to be delivered** to you according to the attached transport documents
- that the seals are **present** (See Risk focus: Container – placing seals)
- that the goods are **properly fastened** (See Risk focus: Maritime container – stuffing)
- that the cases/boxes or other containers are in **good condition**
- that the adhesive tape and/or toe straps are **original and intact** (theft?)
- that the number and references of the parcels **correspond to the indications** on the packing list.

**What are the risks?**

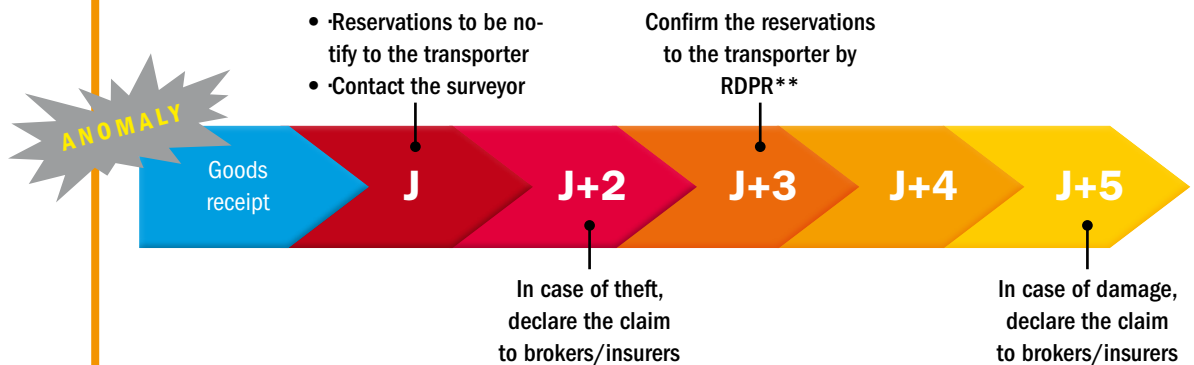
Risks	Consequences
Late delivery	Out-of-date products, use-by date too soon
Overlanded cargo	Total loss
Shortage	Partial loss
Damaged packaging	Merchandise damp, torn, punctured, broken, dirty, etc.

## 2 Making reservations

Reservations must be **CLEAR, ACCURATE** and **JUSTIFIED**:

### • Visible damage

Act immediately...



Which document should reservations be recorded on?

On the transport document, the delivery note, or any document drawn up in the presence of both parties on delivery...

How?

- Stop the unloading
- **Take pictures** to show the condition of the contents
- Leave the goods in their packaging and keep them available for the adjuster
- **Precisely list:**

Messieurs,  
 Nous vous informons que, du véhicule à  
 container n° ..... comportant  
 des produits.  
 Lors de la réception, nous avons constaté  
 a) Le ou les colis n° .....  
 de poids ;  
 b) Le ou les colis n° .....  
 de poids et de volume.



- ⚠ The missing or damaged goods (quantity/volume)
- ⚠ The brand names, tracking numbers and weight of the disputed parcels
- ⚠ The type of damage observed
- ⚠ The references of the goods
- ⚠ The date and time of the transporter's arrival.

- **Ensure the transporter** countersigns the reservations.

### REMEMBER!

- **The phrase «subject to unpacking» has no legal value,**
- **If the parcels/goods are very severely damaged or in jeopardy, you are entitled to refuse delivery, mentioning the fact clearly in your reservations,**
- If the driver refuses to sign the reservations, it is essential to write «The missing/damaged goods could not be recorded by both parties because the driver, Mr ....., refused to wait and sign» below the reservations.

... then later.

The reservations must be confirmed **to the transporter** within **three days after the delivery by registered letter with return receipt**. In this you have to:

- restate the reservations made at the time of delivery
- notice that the transporter will be invited to the survey.

\*\* Registered letter with return receipt

### • Non-visible damage («concealed damage»)

**You have three working days to unpack your goods, seven for international shipments.** Any non-visible damage notified within this time is considered to predate the delivery. In this case:

- Stop the unpacking
- Leave the goods in their original packaging and keep them available for the surveyor
- Send a reservation letter by registered letter with return receipt to all parties likely to be liable for the loss or damage including the same precisions as in point 2-1 with particular information about the disputed shipment.

### • Late delivery

Reservations must be sent to the transporter within 21 days from the day following the goods being presented for delivery (including Sundays and public holidays). After this time, there is a **forclusion** (any claim becomes inadmissible).

## ③ Take every possible preservation measure to protect the goods



- Keep the goods from rain, accidental opening of the packaging, theft, etc.
- The consignee's liability will be incurred while he holds the goods.

## ④ Arrange the survey as soon as possible



The surveyor is chosen for its technical skills and is responsible for:

- recording the facts
- characterizing them
- assessing the cost of the damage
- determining liability.

### **REMEMBER!**

**The survey must be held in the presence of both parties and carried out by an independent third party.**

If you do not know a surveyor, your broker/insurer will recommend one.

## Declare the claim to the insurers

### How?

Every claim file **to present to your insurer** must include the following:

- The company name and contact details of the person able to provide the insurer with a description of the damage
- Information about the circumstances of the damage (any photos)
- The address where the goods are being stored
- The original insurance certificate
- Original invoices for the goods and the various costs incurred
- The original transport document (bill of lading, consignment note, air way bill)
- The packing list
- The correspondence relating to reservations sent to liable third parties.

And depending on the circumstances...

### Specific damage

- The surveyor's report
- The transporter's report, weight notes, etc.

### • Undelivered parcels

- Any document establishing non-delivery.
- Official notice to deliver.

