



Wednesday 30<sup>th</sup> December 2015

## Bulletin 1073 – 12/15 – Update, Fender & Berth Damage Claims, EI-Dekheila - Egypt

Further to our [Bulletin 1043](#) the Association has been recently advised that the problems with fender & berth damage claims in Egypt still exist.

The Association are still seeing Fender damage claims at the port of EI-Dekheila. The Association would like to remind Members of the advice set out in our [Bulletin 1043](#) in June, 2015.

### QUOTE

Recently one of our Members was involved in a Fender damage claim at EI-Dekheila. The subject vessel called at EI-Dekheila for discharging. She berthed and commenced discharging operations without problems. Close to the end of discharging the vessel's Master was notified by the agent that the Port Authorities claim that the vessel damaged two of the fenders and a fine had been imposed. The vessel was not allowed to sail before the fine was paid.

The Club has been made aware that this is not an isolated case.

We initiated an inquiry which resulted in the following findings:

- Most of the fender claims originate at EI-Dekheila port. This is mainly due to fact that the port is generally unsheltered
- Vessels remain detained, until the claim is settled
- If a vessel is detained, the Port Authorities only accept:
  - Certified Bank Cheques; or
  - Guarantee of payment sent by the Agent, for the fine to be paid within 48 hours of the date of the incident
- Usually there is an increase in claims in the winter season

It is recommended that the following precautions are taken, in order to avoid similar claims:

- Crew should try to take pictures of fender condition prior to vessels arrival, or instruct a surveyor to investigate the condition of the fender prior to vessels arrival and after departure. This will help the Members to avoid being fined for a pre-existing damage. It will assist us to challenge the port authorities, if a pre-existing damage is evident. We know of a few cases which were successfully challenged and the fine substantially reduced, or even cancelled due to pre-existent damage.

- If there is a claim we recommend Members to contact our local correspondents who will instruct a surveyor to attend jointly with the Port Authorities, while they are assessing the damage in order to protect our Members interests.

UNQUOTE

**Source of Information**

Loss Prevention

[lossprevention.ukclub@thomasmiller.com](mailto:lossprevention.ukclub@thomasmiller.com)