

Loss Prevention Bulletin

Ship Type: Bulk

Trade Area: Algeria

Bulletin 119 - 12/99 - Cargo Shortage Claims - Oran - Algeria

We have recently been made aware of unwarranted delays to ships discharging bulk cargoes in Oran, Algeria. We understand that shortage claims are occurring on ships discharging into trucks. Claims are based on weighbridge figures and the courts are refusing to accept the shipowner's hatch unsealing surveys and draft surveys unless the certificates are counter-signed by the receiver's surveyor.

In one particular case the receivers insisted on a bank guarantee to cover quite a small alleged shortage. Due to the systems in Algeria the setting up of bank guarantees quickly is not possible (it usually takes several days). In this case the promise of a bank guarantee was also not acceptable. To avoid unnecessary delay, and bearing in mind the size of the claim which was not large, negotiations were undertaken to try and settle the matter on the spot. The claim was eventually settled but the ship was released only on receipt of actual cash and after a three day delay.

Members should be aware that disputes on weight discrepancies between draft survey and weighbridge figures are not uncommon and while normally they are settled by due process it is not unusual for ships in Oran to be delayed for several days. Members should bear the above in mind when fixing.

Recommendations:

Because of the recent frequency of shortage claims in Oran, particularly with private receivers, we recommend for the time being a contradictory (joint) survey, or if receivers will not agree to this, a court survey should be arranged through the Club's correspondent prior to the ship's arrival.

Source of Information:

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