

International Marine Claims Conference

Portmarnock Hotel 29.9 – 1.10.2004

Market Practices – Claims

Norway

1. How is a claim first advised to the leading insurer?
 - a. by the broker?
 - b. by the assured/owner?
 - c. other?

Normally by the assured/owner, in some cases by the broker, in some cases directly from the vessel.

2. How does the leading insurer respond?

Initiates emergency response when appropriate in accordance with QMS procedures.
Appoints surveyor

3. How are claims handled by or on behalf of the leading insurer outside of “working hours”?

24-hour emergency phone.

How are surveyors selected / appointed?

- a. by the leading insurer? Yes
 - b. from an approved panel? List of Correspondence.
 - c. by locality? Yes.
 - d. by speciality/expertise? If major claim, yes.
 - e. by cost? Costs are monitored.
 - f. by the assured/owner? Normally not, but list of correspondents available in case of emergency.
 - g. other?
5. What instructions (if any) are issued to the surveyor by the leading insurer?

Most companies have own set of instructions to Surveyors:

6. Are Terms of Engagement and/or Service Level Agreements used for such appointments?
If so, are they issued by insurers or by the surveyor?

Instructions to Surveyors are issued by insurers.

7. Who appoints lawyers/attorneys/other experts in non-contentious claims?

- a. the assured/owner?
- b. insurers?

Normally by the insurer, but is discussed with Owners.

If appointed by the assured/owner, does the leading insurer ratify the appointment?

8. How are lawyers/attorneys/other experts selected/appointed by insurers?

- a. from an approved panel?
- b. by locality?
- c. by speciality/expertise?
- d. by cost?
- e. other?

In most cases by speciality/expertise and cost. Most companies have more or less formal list of preferred lawyers and experts.

9. What instructions (if any) are issued to the lawyer/attorney/expert?

Normally instructions are outlined in confirmation letter or mail.

10. Are Terms of Engagement and/or Service Level Agreements used for such appointments?

If so, are they issued by insurers or by the lawyer/attorney/expert?

In most cases yes.

11. Are expense budgets considered / agreed (and if so, monitored) for appointed experts?

Yes

12. How and when are insurers aware of the identity of the assured's appointed Loss Adjuster?

Claims normally adjusted in-house. External Adjuster should normally be named in the policy, alternatively agreed from case to case.

13. What communication (if any) is there between insurers and the Loss Adjuster prior to issue of the adjustment or of any request for payment on account?

We normally require to see and approve draft before final adjustment is issued.

14. How are reserves established for both indemnity and fees?

Estimates are made in accordance with standard set of instructions.

15. What liaison (if any) is there between the leading insurer and the P&I Club?

P&I club is always identified and contacted if necessary

16. What is the broker's role in the claims process?
Varies from mailbox to handling claim on behalf of Owners.

Broker is kept informed and monitors progress. Can be involved in case of difficulties.

17. What is the standard approach, if any, to issuing (counter) guarantees in salvage and collision cases.

Leader usually agrees at inception which followers it can issue guarantees on behalf of.

18. How are claims paid?
a. via the broker?
b. direct to the assured?

If a broker is involved, claims are paid via the broker if no specific agreement of a different procedure.

19. Is there a central accounting system for insurers in your market?
No.

20. Is there any protocol in operation in your market which governs the handling of claims? If so, please provide brief details, e.g timescales, penalties etc.

Norwegian Plan Chapter 9 and Chapter 5 Section 1.