

<b>Title</b>	<b>Manage a claim for loss of or damage to a consignment</b>		
<b>Level</b>	<b>4</b>	<b>Credits</b>	<b>6</b>

<b>Purpose</b>	People credited with this unit standard are able to: research a claim for loss of or damage to a consignment; prepare a file of documents relevant to the claim; report the findings of the investigation; and monitor the progress of a claim.
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<b>Classification</b>	Commercial Road Transport > Road Transport Management
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<b>Available grade</b>	Achieved
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### Guidance Information

- 1 Legislation applicable to this unit standard includes but is not limited to the:
  - Contract and Commercial Law Act 2017;
  - Civil Aviation Act 1990;
  - Land Transport Act 1998;
  - Maritime Transport Act 1994;
 their associated regulations, international conventions, case law, and subsequent amendments.
- 2 International conventions which may apply to this unit standard include but are not limited to:
  - the Hamburg Rules (The United Nations Convention on the Carriage of Goods by Sea 1978; UN Conference on Trade and Development);
  - the Multi-Modal Convention (The United Nations Convention on International Multi-Modal Transport of Goods 1980; UN Conference on Trade and Development,
  - the Warsaw Convention (the Convention for the Unification of Certain Rules Relating to the International Carriage by Air, October 1929);
  - and the Hague Visby Rules 1968).
- 3 The principles of *natural justice* that apply to this unit standard are:
  - a Audi alteram partem; the principle that both sides of a case are to be heard;
  - b Nemo debet esse iudex in propria sua causa; the principle that the merits of the case should be judged by a person with no interest in the outcome.
- 4 Definition
 

*Organisational procedures* refer to formally documented workplace instructions which are available to candidates, providers, and assessors.

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## Outcomes and performance criteria

### Outcome 1

Research a claim for loss of or damage to a consignment.

#### Performance criteria

- 1.1 Documentary and verbal evidence is collected in accordance with organisational procedures.
- 1.2 The nature of the loss is explained in terms of the parties involved, value, cause, and potential liability, and is in accordance with the evidence collected.
- 1.3 The research is undertaken in a way that is consistent with the contract of carriage and the documentary evidence of the carriage.
- 1.4 The research is carried out in accordance with the principles of natural justice, and the need to establish liability.

### Outcome 2

Prepare a file of documents relevant to the claim.

#### Performance criteria

- 2.1 Documents are collated, and a file is maintained as a progress record of the claim in accordance with organisational procedures.
- 2.2 The organisation's position is protected with respect to third parties and insurers in accordance with organisational procedures.

### Outcome 3

Report the findings of the investigation.

#### Performance criteria

- 3.1 Recommendations relating to the loss or damage in terms of possible mitigation and future actions is reported.
- 3.2 The report is prepared in accordance with the contract of carriage, the loss or damage, the research, and with organisational procedures.

### Outcome 4

Monitor the progress of a claim.

#### Performance criteria

- 4.1 Progress of claim is monitored regularly until claim is closed.

- 4.2 Progress of claim is reported to consignor and consignee in accordance with organisational procedures.

<b>Planned review date</b>	31 December 2025
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#### Status information and last date for assessment for superseded versions

Process	Version	Date	Last Date for Assessment
Registration	1	30 September 1998	31 December 2022
Review	2	22 May 2003	31 December 2022
Review	3	29 April 2021	N/A

<b>Consent and Moderation Requirements (CMR) reference</b>	0014
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This CMR can be accessed at <http://www.nzqa.govt.nz/framework/search/index.do>.

#### Comments on this unit standard

Please contact the MITO New Zealand Incorporated [info@mito.org.nz](mailto:info@mito.org.nz) if you wish to suggest changes to the content of this unit standard.