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| Title | Manage a claim for loss of or damage to a consignment | | |
| Level | 4 | Credits | 6 |

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| Purpose | 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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| Classification | Commercial Road Transport > Road Transport Management |
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| Available grade | 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.

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.

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| Planned review date | 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 |

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| Consent and Moderation Requirements (CMR) reference | 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 if you wish to suggest changes to the content of this unit standard.