

NEWS LETTER  
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## WORLD WIDE CLAIMS SERVICES

*We wish all our Readers  
.....“RAMADAN KAREEM”.....*

### UAE UPDATES

**A new state-of-the-art Cruise Terminal** was opened at Zayed port in Abu Dhabi in December 2015. The flexible design of the terminal building incorporated suggestions from major Cruise Lines. The Terminal will serve Abu Dhabi's rapidly growing cruise industry and will give a boost to Abu Dhabi's position on the cruise tourism map.

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**DP World**, Dubai has acquired yet another feather in its cap when it opened a new Container Terminal in Turkey. DP World Yarimca, as the Terminal is known, covers an area of 460,000sq. metres and can handle upto 1.3. million containers. It has two main berths, remote controlled gantry cranes and fast scanner X-ray machines. The Terminal enhances Turkey's connectivity with Europe and Asia.

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**Brexit** is unlikely to have a major impact on UAE, according to local reports. The UAE-UK bilateral trade and investment relationships will continue to be strong despite UK leaving the EU. The UAE-UK Business Council will continue to work towards achieving its target of £ 25 Billion by 2020.

*(Khaleej Times)*

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*“Make Peace with your Past so that it does not spoil your Present”.*



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### SALVAGE GUARANTEE

A ship loaded with general cargo was on a voyage from Mahe, Seychelles to Durban, South Africa. During the voyage, fire broke out in the vessel's engine room resulting in the vessel becoming immobilised. The Ship Owner declared General Average and engaged Salvors who towed the vessel to nearest port of Beira. However, the Port authority refused permission for the vessel to enter the port citing inability to handle the ship in such condition. She was then towed to Durban where she was brought alongside. After collection of GA and Salvage securities, the cargoes were discharged and delivered to respective consignees.



After several months, one of the cargo Underwriters received a notice from the Salvor's lawyers demanding payment of USD 76,000 and interest at the rate of 5.25 %. This came as a surprise for this cargo Underwriter who had not received any correspondence prior to this in this respect. They contacted **WWCS** to assist them in the matter. We took up the issue with the Salvor's lawyers. It was learnt that the lawyers had periodically sent communications to all the cargo interests. Communications in respect of the cargo Insured by this Underwriter were sent to the Broker who had posted the security on behalf of the Underwriter. Upon checking with the Broker's office, we found that they had indeed received the lawyer's communications and relevant documents but omitted to forward them to the Underwriter.

We managed to collect all the documents and though we found many grey areas in the lawyer's conclusions, it was too late to get them rectified. The lawyers were not prepared to discuss further and considering the accruing interest, the only alternative was to refer to arbitration. This was not a viable option given that the amount involved was not substantial. The cargo underwriter had no other alternative but to settle the Salvor's demand.

This situation came about due to the lapse on the part of the Broker. If they had kept the cargo Underwriters upto date with the developments, we could have promptly taken up the various issues with the Salvor's lawyers and achieved a favorable conclusion.

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*"If you are looking for that one person who will change your life,  
Look in the mirror".*



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### CONTRACTORS ALL RISKS POLICY

A Contractor engaged in a construction project had taken a Contractors All Risks Policy covering the construction activities. He had sub contracted a job to build a water storage tank within the project site. During the construction and while testing the tank, it burst resulting in water flowing out and damaging other properties within the complex.

The Insurance company appointed a Loss Adjuster who assessed the various damages in the amount of AED 800,000. As the claim was legally payable under the Policy, the Insurance company settled the amount with the Insured. When they took up recovery against the sub contractor who was responsible for the incident, it was discovered that there was a clause in the Insured's contract which restrained the Insurer from pursuing claims against sub contractors.

Normally Contractors All Risks Policy covers the various subcontracts of the Insured. This requires the inclusion of a "waiver of subrogation" clause in the Policy. As a result, the Insurer is precluded from claiming against the sub contractors.

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### *A story with a moral*

A man was lost in the desert with no water or food. He knew he was on his last legs and may die soon. Then he saw a hut which he entered hoping against hope that he might find some water. His heart skipped a beat when he saw a hand water pump. He began working on the hand pump, but no water came out. He gave up and it looked as if he was going to die after all. Then he noticed a bottle of water in the corner. There was a notice attached to the bottle – "use this water to start the pump. Don't forget to fill the bottle when you are done".

He was in a dilemma. He could drink the bottled water or follow the instruction and take a chance on working the pump. There is no guarantee that the pump will work. Should he risk it? He would be throwing



***"Accept your Past without Regret; Handle your Present with Confidence;  
Face your Future without Fear"***



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away the last water that he would ever see. Hands trembling, he poured the water into the pump, closed his eyes, said a prayer and started working the pump. He was relieved to find water gushing out. After drinking his fill and filling his flask for the journey ahead, he also filled the bottle and put it back. He added a note below the instruction -“believe me, it works”.

The moral of the story is that we must **Give** before we expect to **Receive**. It also teaches that **Faith** plays an important role in **Giving**. Water in this story represents the good things in life. It could be knowledge, money, happiness, love, respect, all of which can be obtained only by **Giving** first.

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### *Unwind.....*

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**Oxymoron** is a phrase in which two words of opposite meanings are used together. Some funny Oxymorons –

- Clearly Misunderstood
- Small Crowd
- Found Missing
- Pretty Ugly
- Only Choice
- Exact Estimate
- Act Naturally
- Fully Empty
- Seriously Funny
- Original Copies
- **Happily Married !**

**And Mother of all-**



*“A moment of Patience in a moment of Anger  
Saves you hundred moments of Regret”*



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