

# Additional Covers



## Deck Cargo Cover

The West of England helps meet Members' operational requirements by offering additional insurance products which complement normal P&I cover. Deck Cargo Cover protects a Member from liabilities to cargo owners where cargo is carried on deck against an under-deck bill of lading or is unsuitable for deck carriage.

### The Problem

Carriage of cargo on deck against an under-deck bill of lading without a suitable liberty clause or without the stowage being agreed by the shipper and noted on the bill of lading would be considered as unauthorised deck stowage. This would result in the carrier being liable for loss or damage without the benefit of any of the excepted perils and limits in the Hague or Hague-Visby Rules. Carriage on deck in those circumstances would fall outside normal P&I cover.

A statement on the bill of lading that the cargo is carried on deck needs to be of sufficient clarity that a holder of the bill of lading knows that the cargo is carried on deck and either that the carrier is exempt from any liability for loss or damage or clearly states that the Hague or Hague Visby Rules will apply to the carriage. But different jurisdictions have their own interpretation of the effectiveness of deck cargo clauses. Carriers are therefore faced with a dilemma in not knowing whether their clause will be either sufficient to fully protect them from liability and or whether they may have exposed themselves to liabilities that fall outside their normal P&I cover.

The carriage on deck of cargo not suitable for deck carriage i.e. exposure to the elements and sea, could also prejudice Club cover.

### The Solution

The West of England's Deck Cargo Cover ensures that Members are covered for liabilities, costs and expenses in respect of the Carrier's liability arising out of carriage of cargo on deck which would otherwise have been excluded under normal P&I cover. Fully flexible and able to be tailored to meet a Member's precise requirements, it is backed by the West of England's outstanding service.

#### Limits

- Various limits are available by negotiation

#### Conditions of cover

- Cover is for a specified limit
- Excludes rusting, oxidisation, denting, scratching, electrical and mechanical derangement caused by being on deck
- High value cargo may require survey

**Cover is subject to the Club's Class 1 Rules and excludes liabilities that are recoverable under the Member's normal P&I cover.**

### What can be covered?

- Carriage on deck of cargo not suitable for deck carriage
- Cargo carried on deck against an under deck bill of lading
- Inadequate clausing of bill of lading to reflect deck-carriage