



## Freight Claim Information Sheet

### Receiving Your Shipments:

Have you counted the pieces? Note the number of pieces received on the delivery receipt in the presence of our driver.

- Any shortages/overages MUST also be noted on the delivery receipt.

Have you checked the CONDITION of the packing?

- Tears/creases/damages MUST be noted on the delivery receipt.

Is there visible DAMAGE?

- Contents should be checked, if possible and damage noted on the delivery receipt.

### **THE NOTES THAT YOU PUT ON THE DELIVERY RECEIPT SERVES TO SUPPORT THE MERIT OF YOUR CLAIM.**

If you discover concealed damage, contact our office immediately, or WITHIN 48 HOURS OF DELIVERY *or liability will not be entertained.* DO NOT unpack the goods until the inspector has seen them. All original packaging must be made available. Your immediate call to our local office is essential and necessary.

NOTATING DELIVERY RECEIPTS "SUBJECT TO INSPECTION" is unacceptable. It is not considered proof that the goods were delivered in a damaged condition; **INSTEAD DAMAGE SHOULD BE NOTATED ON THE DELIVERY RECEIPT AND AS BE SPECIFIC AS POSSIBLE**

CLARKE TRANSPORT will assume no liability for unprotected or poorly packaged goods.

### How to Make a Claim:

Clarke Transport must be called immediately or within 15 days of receipt of goods to arrange an inspection for goods signed as damaged. At that time all packaging must be made available.

After the inspection has been made, provide Clarke Transport with the following documents within nine months of the bill of lading date:

- Your invoice or letter detailing the amount of your claim. This should include the cost of goods, cost of repairs, replacement costs or salvage value.
- Copy of supplier's invoice covering the ORIGINAL damaged shipment.
- Copy of delivery receipt.
- Copy of inspection report and salvage receipt, if applicable.
- Copy of an itemized repair invoice, if applicable.

**A TransForce Company**

201 Westcreek Blvd., Suite 200, Brampton, ON L6T 5S6  
telephone: (905) 291-3000 · 1-800-387-7037 fax: (905) 738-5986  
[www.clarkelink.com](http://www.clarkelink.com)



If goods are to be salvaged, contact Clarke Transport to arrange disposition.

Claims for shortage require the following documents within nine months of the bill of lading date:

- Your invoice or letter detailing the amount of your claim, including number of pieces, unit cost, and total amount of claim.
- Copy of supplier's invoice.
- Copy of delivery receipt.
- Copy of paid freight invoice.

**The mailing address for the Claims Department is:**

**CLARKE TRANSPORT  
201 WestCreek Blvd. Suite 200  
Brampton, Ontario  
L6T 5S6**

**Email: [claims@admin.clarketransport.com](mailto:claims@admin.clarketransport.com)**

**Freight invoices must be paid in full whether or not damages or shortages exist, and a percentage of freight charges can be included in your claim (provided that you were responsible for paying the freight).**

No carrier is liable for loss or damage to any goods carried under the Bill Of Lading unless notice setting out particulars of the origin, destination and date of shipment of the goods and the estimated amount claimed in respect of such loss or damage is given in writing to the originating carrier or the delivering carrier within 60 days after the delivery of the goods or, in the case of failure to make delivery, within nine (9) months from the date of shipment.

**Exceptions not noted on delivery must be reported within 48 hours of delivery or liability will not be entertained.**

The final statement of the claim must be filed within nine (9) months from the date of shipment, together with a copy of the paid freight bill.

CLARKE TRANSPORT will not assume liability for any shipper-prepared piece count of wrapped or banded skids or pallets where the said skids are delivered intact.

**Maximum Liability:**

The Clarke Transport liability for any loss or damage shall not exceed \$2.00 per pound (\$4.41 per kilogram) based on the weight of the entire shipment. Maximum liability is based on actual weight, not on chargeable weight.

**Protective Heat Services:**

**Must be notated on the original bill of lading at the time of Shipping.**

**CLARKE TRANSPORT WILL NOT ACCEPT LIABILITY FOR CARGO CLAIMS OF \$50.00 AND UNDER**

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## **SALVAGE RIGHTS**

The carrier has a common law right to salvage any item for which it pays replacement, or depreciated replacement cost.

Legally, as the owner of the freight, you must do what you can to minimize the loss. Once liability has been established, you can reduce the loss by keeping the damaged freight for a discounted price (an allowance) or have the goods repaired. Reducing the loss will expedite settlement of your claim.

When the Memorandum of Understanding on Salvage went into effect on May 1, 1987, it gave the carrier a certain time frame to collect an item for salvage, and a process to follow if the member didn't cooperate. If a carrier is liable for damages to a shipment and compensates the claimant, the carrier is entitled to the possession of the product for salvage purposes.

Clarke Transport will attempt to take salvage within a reasonable time frame of the date we receive the claim. In other words, we can't always wait until the claim is settled.

## **Damaged Freight not available**

If the damaged freight is not available, the claim is considered invalid and the carrier is not obligated to compensate the claimant.

In the event the claimant requires the salvageable product to be destroyed they must notify the carrier of this in writing. Upon such notification, the product will be destroyed however, the carrier reserves the right to reduce the claim payment by an amount equal to the value of the salvage from the destroyed product.



## GST/HST Information for Freight Carriers

### Input tax credits (ITCs)

If you are a GST/HST registrant, you can recover the GST/HST you paid or owe on purchases and expenses related to your commercial activities by claiming ITC's on your GST/HST return.

### Loss or damage claim settlements

If freight is lost or damaged in transit, the carrier may be required under the terms of the agreement to replace the goods or otherwise compensate the customer. **The claims that carriers pay to claimants are usually not subject to the GST/HST.**

Loss or damage claim settlements should not be confused with a reduction in freight charges. A reduction in freight charges is an adjustment to the original invoice. If the carrier credits or refunds this reduction, including GST/HST, to the customer, the carrier has to issue a credit note showing amount of the reduction and the related GST/HST. See the guide called **General Information for GST/HST Registrants** to find out what information should be included on a credit note.

<http://www.cra-arc.gc.ca/E/pub/gp/rc4080/README.html>





DATE:

### Claim Statement

This claim is presented to **Clarke Transport Inc.** for investigation and resolution.

ProBill #

PO #

Bill of Lading #

First Name

Last Name

Company

Street Address

City

Prov.

Postal Code

Phone #

FAX #

Type of Loss  Short

Damage

Other

Description

Pcs.

Invoice Cost

Value CLAIMED

Total invoice cost

Total amount CLAIMED

Documents Attached:

Detailed Claim Statement

Delivery Receipt

Copy of Supplier's Invoice

Inspection Report (if any)

Repair Bill

Other documents

Special Remarks: