

# GUIDE TO PROCEDURES AND MALFUNCTIONS

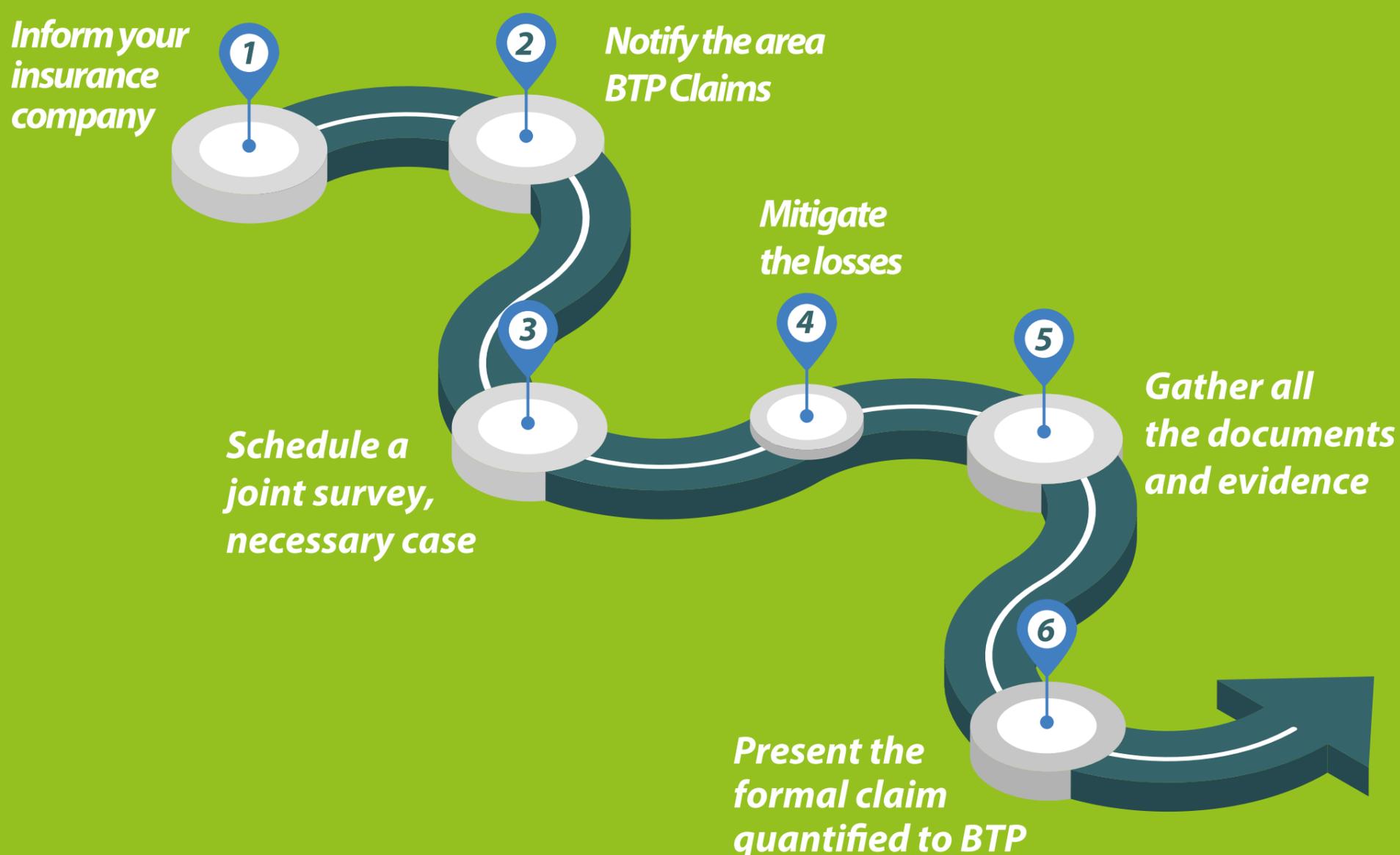


  
**Brasil**  
TERMINAL PORTUÁRIO  
Acreditar e Inovar

Brasil Terminal Portuário is always looking for ways to improve customer service. its customers and partners. Therefore, it is in our interest to seek to resolve all complaints filed, in the best possible way for both parties.

Thus, thinking about always improving the service to our customers and partners, we have prepared this guide to promote the necessary transparency regarding our procedure for faults, breakdowns, reimbursements and make this process as efficient and simple as possible.

## Steps to be followed by the partner:



### 1) Inform your insurance company

In the event of shortages or breakdowns, extraordinary expenses resulting from operational failures and etc., we recommend that you inform your insurer immediately. The insurer may guide you through all the procedures necessary to obtain the proper insurance coverage according to the conditions established in your contracted policy.

### 2) Notify the area BTP Claims

In the event of shortages or breakdowns, extraordinary expenses resulting from operational failures and etc., we recommend that you inform your insurer immediately. The insurer may guide you through all the procedures necessary to obtain the proper insurance coverage according to the conditions established in your contracted policy.

### **3) Schedule a joint survey, necessary case**

The joint survey is not mandatory, but inviting the parties involved in advance is a recommended practice for the preservation of the rights and interests of the respective insurers. When you deem it necessary, you can invite BTP to carry out an inspection joint. BTP's participation is also a prerogative and will be analyzed considering all facts and evidence presented.

The joint inspection helps the parties to quantify the damage, point out possible causes and help to mitigate losses. Surveyors usually prepare a joint report, which can help you to compose your claim with the BTP.

Ideally, the inspection should take place in the shortest possible time and immediately after the verification of the breakdowns, in order to ensure that losses are properly accounted for, losses reduced and that you analyze the feasibility considering the costs and advantages involved.

### **4) Mitigate the losses**

To comply with applicable legislation, you must use your best efforts to mitigate of their losses and avoid the extension of the damages. Whenever possible, damaged loads and/or goods should be segregated to reuse, repair or alternative use and, the costs demonstrably necessary for the mitigation may also be included in your refund request.

### **5) Gather all documents and evidence**

It is necessary that you carry out a photographic record of the damages as well as of the loads that may not have been damaged, in order to show the difference between them and to have greater clarity of the proportion of damages.

Then all applicable vouchers and photographic records must be collected for submission to BTP:

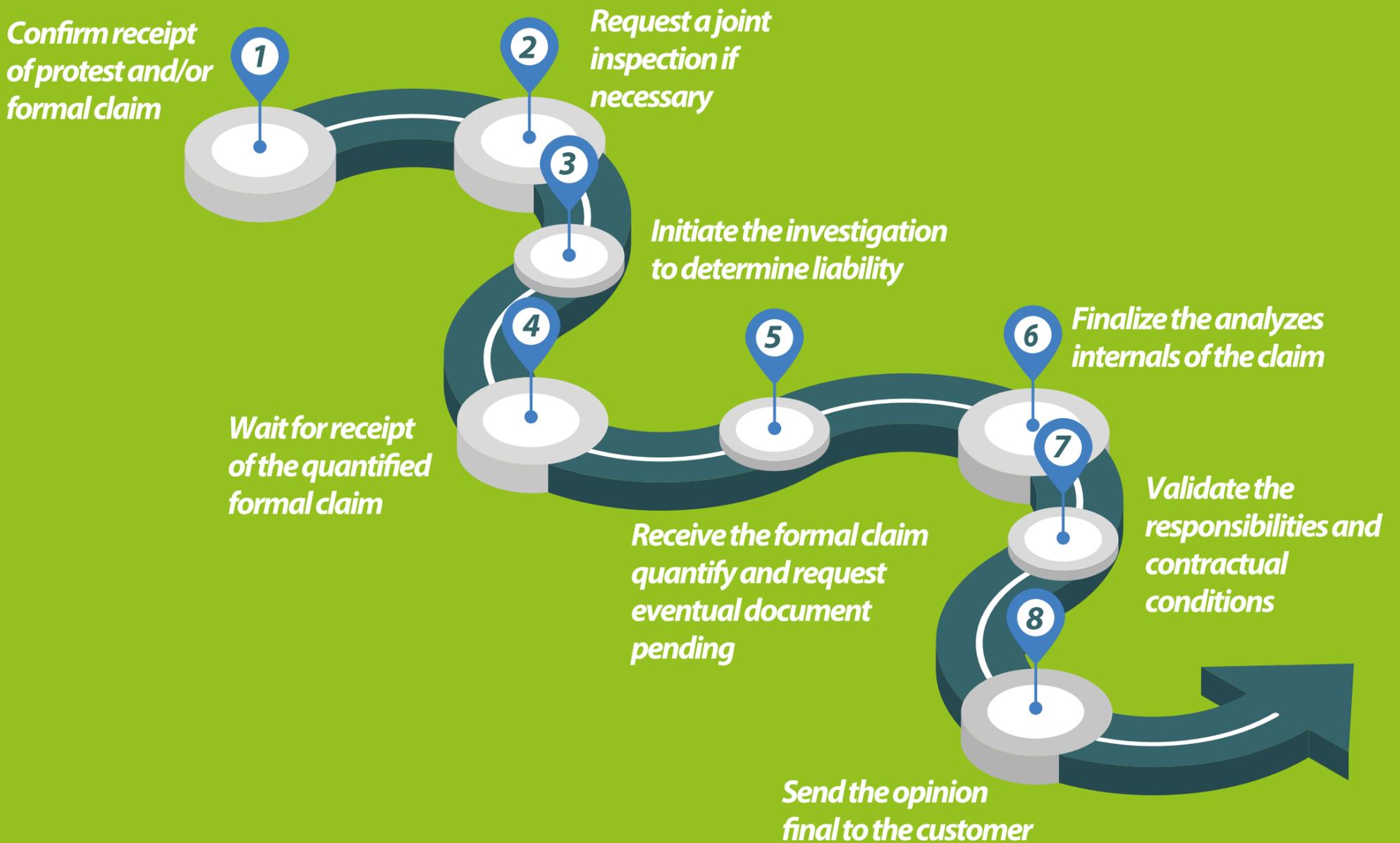
- **Photos**
- **Cargo documents**
- **Documentation of the damaged item**
- **Notification to BTP**
- **Inspection report and/or inspection report**
- **Proof of repair of the damaged item**
- **Operational failure report**
- **Proof of costs and expenses incurred**

*This will help us to efficiently and quickly analyze what happened, as well as determine the responsibilities and the extent of your refund request. Other documents may be requested depending on the type of claim made.*

### **6) Submit the formal quantified claim to BTP**

After collecting the documents and final determination of the damage incurred, you must submit the formal claim to BTP, sending all applicable documents, evidence and vouchers to the e-mail [claims@btp.com.br](mailto:claims@btp.com.br).

# Steps to be followed by BTP



Since 05/10/2022, the receipt of protest letters must be made exclusively by our website ([www.btp.com.br](http://www.btp.com.br) > Services and Solutions > Request for a protest letter).

To expedite the calculation of losses and preserve the interests of your insurer, we recommend the compliance with the legal deadline of up to 10 days for sending the letter.



## Common questions

Check on the next page.

# 1

**What are the procedures to be adopted by BTP when being reported any type of damage to the ship during loading/unloading operations?**

*After finding the damage(s) and issuing the Damage Report by the ship's crew, BTP will confirm receipt of the protest without acknowledging responsibility and will carry out an internal occurrence record for further investigation by the responsible areas, which will indicate the assumption of responsibility or the absence of blame for the alleged malfunctions.*

**BTP will carry out the necessary repair and indicated by the ship command?**

# 2

*The repair must always be carried out by the shipowner, at his own expense, at the time timely and in the most economically viable and safe way possible, which may occur, even while the ship is moored in our terminal facilities.*

*When there is an intention to pass on costs and, when applicable, it is recommended also inform in advance the cost estimate (material and labor) for give the company of BTP Insurance the right to prior inspection, especially when dealing with major damage.*

# 3

**Will BTP carry out the necessary repair and indicated by the ship's command?**

*Not. Compensation will depend on the unequivocal confirmation of BTP's responsibility, that is, on proof that BTP caused the damage pointed out by the shipowner. Therefore, it is necessary for the shipowner to present the formal claim with all documents and other applicable evidence such as, but not limited to, videos, photos, formal notifications, description of repair services, technical reports as well as proof of costs involved in the damage in question.*

*It should be noted that the signature of the Damage Report or the receipt of the protest by BTP, by itself, does not constitute acceptance and/or acknowledgment of responsibility, since this will always be conditioned to the evidence presented by the shipowner and the validation of the technical staff of BTP.*

## How long will it take until there is an answer to the complaint submitted to BTP?

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*The Claims Department will analyze the documentation, as well as the facts that occurred with the technical areas, reverting within a maximum period of 30 days, with its final opinion. If BTP's responsibility remains proven, reimbursement will be made after the signing of the Discharge Agreement, following the terms and conditions set out in the contract signed between the Parties.*

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## Are all containers received by BTP inspected?

*Yup. All cargo units received by BTP are previously inspected at the "Visual Checking" modality, which basically consists of inspecting the structure of the container and the security device (seal) to guarantee the inviolability of the cargo while remaining under the custody and responsibility of the Port Operator. At carrying out the inspection, we adopt the best market practices, the rules in force applicable and also the instructions of the shipowners themselves. Receipt conditions and fault reservations made by BTP will always be available in real time by internet through the Customer Portal.*

## How should I proceed if my container is rejected at BTP's Gate IN?

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*A container is only rejected if it presents unsafe conditions for transport, goods and/or port handling, or when it does not meet safety standards such as the lack of the CSC Plate, for example, given the minimum security conditions required for international transport. If the container is rejected, it will only be accepted by BTP to correct and/or repair the irregularities pointed out by our surveyors, that is, without damage that compromises the safety of cargo, transport and/or movement.*

**7**

**What is the purpose of the reservations pointed out in the Term of Faults and Breakdowns and made available through the BTP customer portal?**

*The reservations made by BTP are intended to point out which are malfunctions of origin of the respective container, that is, the way in which the container was received in the BTP dependencies. Therefore, such damages will not, under any circumstances, be of responsibility of BTP.*

**There are possibilities to change the reservations made in the end after its issuance?**

**8**

*Not. Changing the term cannot occur, considering that the document is also intended for customs and is drawn up exclusively when the receipt to certify the container arrival condition.*

*In the event of any damage at BTP's premises and subsequent to receipt of the container, the customer will be notified for immediate action and can still schedule inspection procedures for joint verification whenever it deems it necessary required. In the event of damages, a claim must be formalized with the Claims Department with the presentation of all documents and relevant evidence for liability analysis.*

**9**

**How do I get photos of the container and/or breakdown identi each in the unit while in the terminal's 9 dependencies?**

*The customer must request the positioning of the unit via the BTP website ([www.btp.com.br](http://www.btp.com.br)) with the motif "Fotogra a". The service will be charged according to the public table, except for the existence of a table commercially agreed between the customer and BTP.*

# 10

## Can BTP carry out the repair of damaged containers?

*BTP does not carry out repairs to containers, however, in order to mitigate possible damages to the load, BTP carries out the necessary palliative repairs to the unit and with the exclusive purpose of reduce risks and exposure of goods packed in containers.*

*If necessary, the customer must arrange for the exchange of equipment, always with the BTP's right support.*

**To remove a container that is damaged, BTP will issue some specific document to the carrier and support the return of the container?**

# 11

*The only document available related to the malfunctions of any unit is the Term of Faults and Malfunctions - TFA, which can be accessed through the Customer Portal on the btp website (<https://tas.btp.com.br/b2b/consultacontainer>). All damaged containers, provided that present safe conditions for transport, should normally be removed from the terminal, irrespective of the source of the faults. If the customer and/or carrier incur losses resulting from the breakdowns and understand that BTP is the cause of these, he must remove the container according to the schedule made and present a formal complaint, presenting all proof of the costs involved, so that the responsible areas carry out the due responsibility analysis.*

# 12

## If it considers it necessary to carry out the joint inspection, will BTP participate?

*Joint inspections can be scheduled by customers whenever they want and invitations must be directed to the BTP Claims department with the minimum period of 48 hours. Within this period, BTP will respond to the invitation confirming participation or justifying the reason for not attending.*

**13**

**Can I have access to the images of the terminal's internal footage?**

*No, the Terminal images cannot be made available, as they are intended for solely and exclusively for customs purposes, that is, the images exist for meet legal and inspection demands with the competent authorities;*

**BTP will reimburse the carrier in all cases of damage found on the vehicle during the loading or unloading at the terminal?**

**14**

*Reimbursement will depend on the unequivocal confirmation of BTP's responsibility. For Therefore, it is necessary for the carrier to present the formal claim with all evidence, as well as 3 (three) quotes for the repair of damages. The acceptance of formal complaint by BTP, by itself, does not imply acceptance and/or acknowledgment of responsibility on the part of the Terminal.*

**15**

**How long will it take before there is a response to the complaint submitted to BTP?**

*The Claims Department will analyze the documentation, as well as the facts that occurred with the responsible areas, reverting within a maximum period of 30 days with their final opinion. If BTP's responsibility remains proven, payment will be made after the signature of the Discharge Agreement.*