

# **AEROLÍNEAS TAR**

## **AVIATION CLAIMS MANUAL**

4 AUGUST 2014



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## Introduction

This manual provides the essential information required to enable all interested parties to act quickly and effectively in the event of a minor or a serious accident involving an aircraft and resulting in:

- (a) loss or extensive damage to the aircraft
- (b) death of or bodily injury to passengers
- (c) death of or bodily injury to third parties i.e. to persons other than passengers
- (d) damage to third party property

## Notification Procedures

An accident or occurrence involving an aircraft might initially appear small and not warrant notification to or a claim being lodged with Underwriters. However, until the full extent of the damage is known it is essential to regard any such incident as one which is likely to produce a claim and to notify your insurers or brokers accordingly as detailed in this manual.

Underwriters if appropriate will instruct Loss Adjusters/Surveyors and or Solicitors.

Immediate notification of any potentially serious accident should be made to one of the personnel at Section 8.

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## Initial Accident Information

“Immediate Report”

As a guide to initial notification the following information is requested:

Aircraft

- (a) Type
- (b) Registration

Flight Details

- (a) Place of last landing
- (b) Intended next destination and flight number
- (c) Intended final destination
- (d) Last position from which communication was received
- (e) Passenger numbers and injuries/deaths if known at time

Accident Information

- (a) Date and time (GMT) of accident
- (b) Location of accident
- (c) Brief details of the occurrence and the cause of the accident
- (d) Approximate extent of damage to the aircraft
- (e) Details of death of or injuries to passenger, crew or third parties
- (f) Action which has been taken, or is being taken, to safeguard or recover the damaged aircraft
- (g) Names of senior persons at the accident site, their title and the method of contacting them.

Note:

This is the information which will assist Insurers (and their advisors) to plan their immediate and further strategy (e.g. attendance at accident sites). Speed of notification is essential - incomplete advice is preferable to delayed advice.

This report should be made by email, telephone or other means and to the persons named in section 8.

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## Follow-up Information:

### Aircraft Serious Loss or Damage

The following lists all the information likely to be required during the course of investigations/negotiations. The information should be compiled so that it is readily available as and when required subsequent to the "Immediate Report". Whilst the Immediate Report may have been sourced from an out-station, it is likely that the follow-up information will be the responsibility of the Airlines' head office. This information can be released direct to Insurers' appointed representatives on request (photostat copies of documents are preferable).

1. Date, time and place of the occurrence.
2. Scheduled and actual departure/arrival times (where appropriate).
3. Details of the occurrence together with any accident or incident reports that are available.
4. Details of aircraft destroyed or damaged.
5. Approximate extent of the damage or loss to the aircraft.
6. Passenger manifest - with details of nationality, sex, age, fatalities, nature of non-fatal injuries and passenger seating plan.
7. Details of any Third Party property destroyed or damaged.
8. Details of Certificate of Registration.
9. Details of Certificate of Airworthiness.
10. Flight plan - including routing / approach let down charts.
11. Meteorological information / briefing to flight crew.
12. Crew manifest.
13. Load and trim balance sheets or equivalent - details of C of G etc - pre-flight maintenance check or clearance certificates.
14. Available photographs of wreckage or damage to aircraft.
15. Flight crew licences - route training details.
16. Airframe / Engine logbooks.
17. Transcript of R/T communications between the aircraft and the tower, or approach consider / area ATC as relevant.
18. Transcript from Cockpit Voice Recorder.
19. Readout and analysis from Flight Data Recorder.
20. Copy of flight coupons or other flight documents issued to passengers (with complete routing).

21. Cargo manifest - copy of AWB's (Airwaybill) - Details of damage to mail/freight/checked baggage.
22. Certificates of maintenance - copy of last maintenance check - copy technical log / unserviceability lists / carried forward defects - relevant extracts if applicable to the accident cause from Flight Operations and Maintenance Manuals (amended to the date of the accident).
22. Airframe hours.
23. Aircraft Serial No. / time since new.
24. Time since last major overhaul / last inspection.
25. Engine type / model.
26. Serial numbers - engines No. 1, 2, 3, 4 (as applicable)
27. Time since new - engines No. 1, 2, 3, 4 (as applicable)
28. Time since overhaul - engines No. 1, 2, 3, 4 (as applicable)
29. Details of Captain:-
  - a) Name
  - b) Age
  - c) Licence No
  - d) Licence type
  - e) Date of first issue
  - f) Validations and valid to
  - g) Total flying hours
  - h) Total hours on type
  - i) Date of last proficiency check
  - j) Date of last route check
  - k) Date of last medical and validity
  - l) Total flying time in the last 30 days and types flown
  - m) Length of rest period prior to the incident / flight
30. First Officer
31. details as for Captain.
32. Flight Engineer
33. details (so far as relevant) as (31) previous.
34. Had flight crew reported any operating/route problems?
35. List of cabin staff.
36. Cabin staff reports on the accident.
37. Details of any costs already incurred or about to be incurred for reasons of safety or for protection of the aircraft.
38. Documents relating to the ownership of hull - purchase, leasing and lien agreements.
39. Notices served by local Aviation Authorities relating to investigation of accident - please ensure so far as is possible that the local Aviation Authority or investigation team does not take away any original documents unless a clear photostat or other adequate copy is retained.
40. General conditions of carriage of passengers and cargo, tariffs, etc.

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## Aircraft Accidents involving Bodily Injury/Death

### Immediate Report

This is the basic information which will assist Insurers (and their advisers) to plan their immediate and further strategy (e.g. attendance at accident sites). Speed of notification is essential - incomplete advice is preferable to delayed advice.

This report should be made by telex, facsimile or telephone to the Aviation and Aerospace Practice of Marsh (Section 8 of this manual), with such of the detail overleaf, as is available.

### Aircraft

- a) Type
- b) Registration

### Flight Details

- a) Place of last landing
- b) Intended next destination and flight number
- c) Intended final destination
- d) Last position from which a report was received
- e) Passenger numbers

### Accident Information

- a) Date and local time of accident
- b) Location of accident
- c) Details of death or injuries to passengers and crew
- d) Details of death or injury to persons or damage to property external to the aircraft
- e) Action which has been taken (or is being taken) to safeguard the damaged aircraft
- f) Names of the Airlines' senior representatives at the location of the accident, their role and the method of contacting them

### Documents and details for handling claims

Documents required as soon as possible:-

1. Copy of complete passenger list or manifest for flight with nationalities if known.
2. Passenger flight coupons (or legible copies) with complete routing and baggage details.
3. Specimen passenger tickets, Air Waybill and General Conditions of Carriage (Tariffs).
4. Passenger seating plan, if available.

5. Names and addresses of passengers and next-of-kin.
  - a) Names of injured passengers with details of medical and hospital treatment and arrangements for repatriation.
  - b) Names and addresses of hospitals.
  - c) Names of passengers killed with details of funeral/ repatriation arrangements.
  - d) Place of burial if known.
6. Copies of any correspondence with passengers or next-of-kin or legal representatives.
7. Details of any Social Security or Workmen's Compensation payments or claims.

Insurers will require that:

Immediate notice of any event likely to give rise to a claim under this Policy shall be given to:

Marsh Ltd  
Marsh Mexico  
Airclaims Mexico

In all cases the Assured shall furnish full particulars in writing of such event and shall forward immediately notice of any claim made by a Third Party or Passenger and any letters or documents relating thereto. The Assured shall also give notice of any impending prosecution and shall render such further information and assistance as Underwriters may reasonably require and shall not act in any way to the detriment or prejudice of the interests of Underwriters.

In compliance with the policy provision above it is important that no admission be made of liability by or on behalf of the airline and no efforts at settlement be made without Underwriters prior consent. Any statements or responses to the Press, Television or Radio should be careful to avoid any question of accident cause, responsibility or liability.

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## Engine Claims

Where the loss includes or is confined to an engine the following information should also be supplied (for each engine involved).

### Engine Claims Information

1. Date of loss or damage
2. Cause of loss or damage
3. Manufacture and type.
4. Manufacturer's serial no.
5. Installed in / removed from (aircraft registration).
6. Position on airframe (1, 2, 3, 4)
7. Removal date - if applicable.
8. Removal place - if applicable
9. Reason for removal.
10. Hours since new.
11. Cycles since new.
12. Hours since last shop visit.
13. Cycles since last shop visit.
14. Is the engine maintenance "ON CONDITION"? Yes / No
15. Damage report and rough assessment of damage and repair cost if possible.
16. Repair proposals and estimated costs.

Please note that the following information is also likely to be required during the processing of any claim:-

- (i) If cause of damage is due to mechanical breakdown or failure of a part forming part of the engine then identify the part by name, manufacturer and part number, serial number, hours run (if subject to life) and date installed.
- (ii) List other work to be carried out during repair not associated with damage, e.g. Inspections, Hot Section Inspections, Modification Embodiment, Overhaul, Refurbishment.

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## Spares / Ground equipment

The following details should be reported to the Aviation and Aerospace Practice of Marsh (Section 8), but where the loss involves a spare engine the details on section 5) will apply.

1. Description and manufacturer
2. Part No. and serial No.
3. Date and location of loss
4. Circumstances of loss
5. Details of damage / loss
6. Replacement costs: repair cost: agreed value (as applicable)
7. Overhaul life / time since new / last overhaul:
8. Party / parties considered responsible for damage / loss; if any

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## Claims involving damage to Third Party Property

### (a) Caused by aircraft.

Where such damage to third party property arises in conjunction with an accident reportable under Section 3 then any reporting should be consolidated under that section. This section is concerned with any other incidents (for example contact with another aircraft whilst manoeuvring). This report should be made to the Aviation and Aerospace Practice of Marsh (Section 8), with such of the following detail as is available.

1. Date, time and place.
2. Details of the occurrence.
3. Details of the aircraft involved.
4. Details of the third party property damage.
5. Details of any action taken for reasons of safety or mitigation of liability.
6. Names of the Airlines' senior representative at the accident location, their role, and the method of contacting them.

### (b) Cargo, Baggage, Personal Effects

Established procedures exist for claims of this nature which arise in the normal course of business and independent of an aircraft accident. Initial reporting should be made in accordance with the company manual. In the event of a major loss the information required is detailed under section 3.

#### IMPORTANT

1. In the event of damage being sustained by an insured aircraft for which Insurers are liable, Underwriters agreement to dismantlement or repair should be obtained prior to commencement, except where such as may be necessary in the interests of safety and to prevent further damage or to comply with orders issued by the appropriate authority, excepting repair of minor damage to the cost of which may not in all probability exceed in the excesses applicable under the policy.
2. In many instances the final settlement of claims under this section will be dependent upon the provision of information and/or documentation from within the Airlines' organisation. The sooner this information is received then the sooner the Aviation and Aerospace Practice of Marsh will be able to obtain reimbursement of any outlay made by the Airline.

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## CONTACTS

**Marsh Mexico**  
**Marsh London**  
**Airclaims**  
**Legal Representatives**



Marsh Brockman y Schuh, Agente de Seguros y de Fianzas S.A. de C.V.  
Torre Mayor, Paseo de la Reforma No. 505  
Pisos 10 al 14  
Col. Cuauhtémoc  
D.F., 06500 México  
+52 55 5999 4400

Nota Importante: Su Asegurador / Afianzador está regulado por la Comisión Nacional de Seguros y Fianzas (CNSF), está obligado a cumplir con todas las leyes, regulaciones y condiciones mexicanas para realizar negocios, incluyendo los requerimientos de solvencia. Si usted está interesado en recibir información acerca de una aseguradora en particular, incluyendo información financiera y/o de seguridad, favor de ponerse en contacto con un representante en Marsh para mayor información y orientación.

