

Definitions

Policyholder:

C.HARTWIG GDYNIA S.A.
UL. Śląska 47
81-310 GDYNIA

Insured:

A person holding an insurable interest in relation to the subject of insurance at the time when the damage occurred.

Insurer:

"Towarzystwo Ubezpieczeń i Reasekuracji „Warta” S.A. [*Warta S.A. Insurance and Reinsurance Company*]

with its registered office in Warsaw, ul. Chmielna 85/87
and

AVIVA Towarzystwo Ubezpieczeń Ogólnych S.A.

with its registered office in Warsaw, ul. Inflancka 4B

through :

Broker Ubezpieczeniowy WTW Sp. z o.o.

with its registered office in Warsaw, ul. Domaniewska 34a

Forwarding order (one-off / forwarding operation / multiple)

The contract concluded between the principal and the Policyholder obliging the Policyholder to send, receive or perform other services related to the carriage of a shipment or a lot of cargo (one-off forwarding order) or multiple shipments or lots of the same or different types of goods over the time specified in the order (multiple forwarding order).

Transport order (one-off or multiple)

The contract concluded between the principal and the Policyholder obliging the Policyholder to carry a shipment of a lot of cargo (one-off transport order) or multiple shipments or lots of the same or different types of goods over the time specified in the order (multiple transport order).

One means of transport is understood to be:

- A road vehicle, also with one or more semitrailers or trailers,
- An aircraft,
- A set of railway wagons,
- A ship with the exception of power-free crafts in maritime transport,
- A barge or a set of barges that are connected to one another in inland transport.

Container - a transport device, including a trailer, of a permanent nature and sufficiently strong to be repeatedly used, designed specifically to facilitate transport by one or more means of transport, without the need for intermediate reloading designed so that it can be lashed and easily manipulated.

Terrorist act - the use of violence to achieve political or social goals directed against the society with the intent of intimidating them,

General average - extraordinary sacrifices or expenses incurred intentionally and reasonably in order to rescue the ship, the cargo carried on board thereof and the freight, from a common peril,

Devastation - deliberate destruction of or damage to the cargo by third parties,

Deductible franchise - specified in the insurance contract by an amount or percentage of the damage, by which the amount of due compensation is reduced each time; if the amount of compensation due does not exceed the amount of the deductible franchise,

Door-to-door trade - sale of goods transported from place to place carried out from a means of transport,

Institute clauses - a set of insurance conditions developed by the London insurers' institute, used in the insurance of cargo transport,

Theft - the seizure of cargo by the perpetrator for the purpose of its appropriation,

Theft with burglary – taking of cargo by the perpetrator for the purpose of its appropriation from the closed means of transport / premises after removal security locks using force and tools or after opening the security locks with counterfeit key, or seizure of the cargo from a means of transport / premises in which the perpetrator hid before its closing,

Theft with burglary with the simultaneous seizure of a means of transport - taking of cargo by the perpetrator for the purpose of appropriation by way of burglary into a means of transport with simultaneous seizure of the means of transport or its temporary appropriation,

Transport transaction - the value of cargo carried at the risk of the Policyholder over a specified period of time. This value is provided by the Policyholder on the basis of supplier's invoices or internal evidence, and if there are none, based on actual purchase or production costs,

Guarded car park - a separate area, guarded 24 hours a day, illuminated at night, equipped with devices blocking entry and exit, preventing the entry and exit of a vehicle without the permission of the person supervising the car park,

Entrepreneur - a natural person, a legal person and an organizational unit that is not a legal person to whom the law grants legal capacity, conducting business or professional activity on its own behalf,

Shipment - a cargo constituting the subject of carriage performed under one carriage contract or on the basis of one invoice or other document accompanying the cargo during the carriage,

Commercial carrier – a natural person, a legal person and an organizational unit without legal personality, duly authorized and conducting, on the basis of legal provisions, permanent and earning oriented transport activity,

Robbery (plunder) - seizure of cargo by the perpetrator for the purpose of appropriation (including simultaneous taking of the means of transport) using physical violence against the person transporting / taking care of the insured cargo or threatening its immediate use, or by bringing this person to a state of unconsciousness or vulnerability,

Unloading - all activities performed immediately after the end of carriage at the destination, aimed at removing the cargo from the means of transport, including the operations of moving the cargo from the immediate vicinity of the means of transport to the warehouse, another room or place of storage,

Political risk - risk of loss, partial loss of or damage to the insured load during its transport as a result of:

- a) Strike risks, which are understood as strikes, lockouts, riots or civil unrest, acts of terrorism or acts of persons acting for political, ideological or religious reasons and/or
- b) War risks, which are understood as: warfare, state of emergency, martial law, revolution, rebellion, uprising, abandoned mines, torpedoes, bombs or other abandoned war weapon,

Transport risk - the risk to suffer damage to property as a result of loss, partial loss or damage to the cargo during transport covered by the insurance,

Domestic transport – carriage the beginning and end of which take place on the territory of the Republic of Poland,

International transport - carriage the origin and/or termination of which take place on the territory of different countries,

Sea transport – carriage – in whole or in part – is performed by sea on the basis of a marine bill of lading or other marine waybill,

Transport other than by sea - transport by rail, car, air-craft, by means of inland waterway transport and seagoing ferry (subject to the fact that carriage by a seagoing ferry is not performed on the basis of the marine bill of lading),

Own transport - other than commercial transport,

Commercial transport - transport performed by a commercial carrier on the basis of a concluded transport contract, confirmed by the delivery of a waybill or other transport document,

Monetary values - domestic and foreign currency, checks, bills of exchange, other securities, gold, silver, precious stones and pearls, as well as platinum and other metals from the platinum group,

Transport means - an event involving sudden mechanical force operating at the moment the vehicle touches persons, objects, animals, or overturn, derailing, falling down, sinking, running aground or stranding,

Loading - all activities performed immediately before the start of transport at the place of dispatch, aimed at placing the cargo prepared for carriage on or inside the means of transport including the delivery of the cargo from the warehouse, another room or storage place in the immediate vicinity of the means of transport.

Random occurrences:

a) Extreme heavy rain - rainfall with a performance coefficient of at least 4. The occurrence of rain of a certain parameter is confirmed by a meteorological facility; if it is not possible to obtain such confirmation, the state of facts and size of the damage is recognised as at the place of their creation or in the neighbourhood,

b) Hail - precipitation in the form of ice particles,

c) Hurricane - wind with a speed of not less than 17.5 m / s,

d) Avalanche - rapid sliding down or rolling down of masses of snow, ice, mud, rocks or stones from mountain slopes,

e) Landslides - movements on slopes not caused by human activity,

f) Flood - flooding of the area as a result of rising water level in the channels flowing or standing due to: excessive precipitation, runoff of water on slopes or slopes in mountainous or rolling terrains, melting of ice floes, formation of ice jams, damage to the shoreline of artificial lakes or ducts, a storm causing the level of marine coastal waters to rise;

- g)** Fire - a fire that has penetrated beyond the hearth or was created without a hearth and is able to expand on its own strength,
- h)** Earthquake - disturbances of the balance system not caused by human activity in the interior of the earth, accompanied by shaking and vibrations of the ground,
- i)** Lightning strike - violent electric discharge in the atmosphere acting directly on the means of transport or insured cargo,
- j)** Collapse of the item onto the means of transport - the collapse of any item not belonging to the Insuring Party and not under its control, falling from the height onto the means of transport,
- k)** Explosion - a sudden change in the system's equilibrium with simultaneous release of gases, vapours, dusts or liquids, caused by their property of spreading; the implosion, leading to the damage of a tank or vacuum apparatus by external pressure, is also considered as explosion,
- l)** Collapse of the land – lowering of the terrain due to the falling in of underground void spaces created in a natural way, and not as a result of any human activity.