



## §1

### Definitions

1. **Complaint** - a claim filed in writing (including with the use of the form provided by Baltic Hub Container Terminal Sp. Zo.o. ("BHCT"), which may be downloaded from the website), connected with any damage arising from a direct and normal casual link between undue performance by BHCT and the damage arising in the period from acceptance of goods/container to the release, and any reservations made by the Complaining Party as regards the quantity/rate/service presented on the invoice.

**Forms are available at:** [Documents and regulations BHCT \(baltichub.com\)](https://baltichub.com)

2. **BHCT** – the entity that receives and considered complaints.
3. **Complaining Party** - the entity filing a complaint.
4. **Cargo damage complaint form** - the document to be completed by the Complaining Party, being one of the manners of filing a complaint and, consequently, acceptance and proceeding to the complaint handling procedure (§2 Section 6.1 and §3 Section 1).
5. **Means of transport damage complaint form** - the document to be completed by the Complaining Party, being one of the manners of filing a complaint and, consequently, acceptance and proceeding to the complaint handling procedure (§2 Section 6.1 and §3 Section 2). It is used in the event of complaints related to any events with the participation of third-party means of transport.
6. **Invoice complaint form** - the document to be completed by the Complaining Party, being one of the manners of filing a complaint and, consequently, acceptance and proceeding to the complaint handling procedure (§2 Section 6.1 and §3 Section 3). It is used if the Complaining Party has any reservations about the correctness of an invoice.
7. **Complaint form** - the document to be completed by the Complaining Party, being one of the manners of filing a complaint and, consequently, acceptance and proceeding to the complaint handling procedure (§2 Section 6.1 and §3 Section 4). It is used in all events in which no other form is stipulated in this procedure.

### General information

1. Complaints shall be filed immediately following the occurrence of an event.
2. BHCT shall consider the complaint and notify the Complaining Party whether the complaint is accepted or rejected.
3. Complaints shall be filed in writing, including in the form of a letter, scan, e-mail.
4. A complaint may be sent by post to the following address: ul. Kontenerowa 7, 80-601 Gdańsk (with notice „Reklamacja” (Complaint)).
5. A complaint may be sent by e-mail to: [reklamacje@baltichub.com](mailto:reklamacje@baltichub.com).
6. The Complaining Party shall clearly provide complete information about the causes of and reasons for the complaint, describe the event being the subject of the complaint, and indicate the expectations, if any, as regards the manner of considering the complaint.
7. The presented circumstances shall be documented by the Complaining Party, insofar as possible, in particular by presentation of a copy of documents confirming its legitimacy.
8. A complaint shall be filed by the Complaining Party in person or through its authorised representative. In the event of any doubts BHCT may request that a document constituting an authorisation to represent the Complaining Party be presented.
9. The reference number shall be allocated/sent within 2 business days of the receipt of the complaint.
10. Filing a complaint shall not release the Complaining Party from the obligation to settle payment for the invoice in the part about which no reservation is made by the Complaining Party.
11. A complaint may be accepted, rejected or partially accepted by BHCT.
12. This procedure and the following annexes shall constitute an integral part of the Term of Business (available at the website: [Documents and regulations BHCT \(baltichub.com\)](#)):
  - Procedures for serving the railway siding at BHCT
  - Safety principles applicable to vehicle drivers
  - Safety principles applicable to drivers going to CFS
  - Cooperation Regulations – Gate Operations
  - Cooperation Regulations – Vehicular Traffic
  - Cooperation Regulations – Ship Operations
  - Procedures connected with storage operations (CFS)
  - Regulations on the use of the external parking lot ☒ Procedure for inspection of containers with scrap
  - Procedure for inspection of containers with scrap
  - Other regulations/procedures introduced and published on BHCT’s website during the validity of this procedure
13. In the event of any questions or doubts related to considering complaints, please contact the Claim Coordinator, phone no. 58 737 77 35, e-mail address: [reklamacje@baltichub.com](mailto:reklamacje@baltichub.com).
14. Below there is a link at which you may find a specification of information related to the processing of personal data: [EN Information related to the processing of personal data.pdf \(baltichub.com\)](#)
15. For avoidance of any doubt, this procedure shall not limit the Complaining Party’s right to pursue claims against BHCT under generally applicable legal provisions in force.

### Specific principles of the complaint handling procedure

#### 1. Principles of filing complaints about cargo damage.

- 1.1 In order to file a complaint, please complete and send the complaint form (§1 Section 4), available on the Baltic Hub website in the section Documents and regulations (download here: [Claim Form regarding cargo damage](#))
- 1.2 To the complaint form attach documents confirming legitimacy of the complaint, including (inter alia):
  - a document confirming the occurrence of an incident in CFS - in the event of an incident that took place on the premises of the storage (CFS),
  - a document confirming the costs incurred for the purpose of restoring the property to its previous condition, a sale invoice, a trade specification accompanying the shipment, certified as a true copy\* (a true copy is a copy of the document certified with a company stamp and autograph signature of the person authorised to represent the Complaining Party's company),
  - photo documentation presenting the damage,
  - any other documents necessary for considering a complaint by BHCT.
- 1.3 Following the receipt of a properly completed complaint form BHCT shall allocate a unique reference number and next, without undue delay, but not later than 2 days, send it to the Complaining Party. Quoting the reference number in the further correspondence allows to unequivocally identify the case reported by the Complaining Party.
- 1.4 A reply to the complaint shall be sent immediately following the analysis of the event and determination of the legitimacy of the complaint.
- 1.5 The Complaining Party may file an appeal against BHCT's decision and present its own position in writing within 30 days of the receipt of a reply to the complaint. Following the expiry of the said time limits the appeal shall be invalid, subject to §2 Section 15.
- 1.6 The Complaining Party may also lodge an appeal with a competent common court.

#### 2. Principles of filing complaints about damage to mean of transport

- 2.1 In order to file a complaint, please complete and send the complaint form (§1 Section 5), available on the Baltic Hub website in the section Documents and regulations. (download here: [Claim Form regarding damage to mean of transport](#))
- 2.2 To the complaint form attach documents confirming legitimacy of the complaint, including (inter alia):
  - a document confirming the occurrence of an incident at the terminal – in the event of an incident that took place at the terminal excluding the premises of the storage (CFS),
  - a document confirming the costs incurred for the purpose of restoring the property to its previous condition, a sale invoice, certified as a true copy\* (a true copy is a copy of the document certified with a company stamp and autograph signature of the person authorised to represent the Complaining Party's company),
  - photo documentation presenting the damage,
  - any other documents necessary for considering a complaint by BHCT.
- 2.3 Following the receipt of a properly completed complaint form BHCT shall allocate a unique reference number and next, without undue delay, but not later than 2 days, send it to the Complaining Party. Quoting the reference number in the further correspondence allows to unequivocally identify the case reported by the Complaining Party.
- 2.4 The Complaining Party may file an appeal against BHCT's decision and present its own position in writing within 30 days of the receipt of a reply to the complaint. Following the expiry of the said time limits the appeal shall be invalid, subject to §2 Section 15.
- 2.5 The Complaining Party may also lodge an appeal with a competent common court.

**3. Principles of filing invoice complaints.**

- 3.1 In order to file a complaint, please complete and send the complaint form (§1 Section 6), available on the Baltic Hub website in the section Documents and regulations. (download here: [Invoice Claim Form](#))
- 3.2 Following the receipt of a properly completed complaint form BHCT shall allocate a unique reference number and next, without undue delay, but not later than 2 days, send it to the Complaining Party. Quoting the reference number in the further correspondence allows to unequivocally identify the case reported by the Complaining Party.
- 3.3 The Complaining Party may file an appeal against BHCT's decision and present its own position in writing within 30 days of the receipt of a reply to the complaint. Following the expiry of the said time limits the appeal shall be invalid, subject to §2 Section 15.
- 3.4 The Complaining Party may also lodge an appeal with a competent common court.

**4. Principles of filing complaints (general complaint form).**

- 4.1 In order to file a complaint, please complete and send the complaint form (§1 Section 7), available on the Baltic Hub website in the section Documents and regulations. (download here: [Claim Form](#))
- 4.2 To the complaint form attach documents confirming legitimacy of the complaint, including (inter alia):
  - a document confirming the costs incurred for the purpose of restoring the property to its previous condition, a sale invoice, a trade specification accompanying the shipment, certified as a true copy\* (a true copy is a copy of the document certified with a company stamp and autograph signature of the person authorised to represent the Complaining Party's company),
  - photo documentation presenting the damage,
  - any other documents necessary for considering a complaint by BHCT.
- 4.3 Following the receipt of a properly completed complaint form BHCT shall allocate a unique reference number and next, without undue delay, but not later than 2 days, send it to the Complaining Party. Quoting the reference number in the further correspondence allows to unequivocally identify the case reported by the Complaining Party.
- 4.4 The Complaining Party may file an appeal against BHCT's decision and present its own position in writing within 30 days of the receipt of a reply to the complaint. Following the expiry of the said time limits the appeal shall be invalid, subject to §2 Section 15.
- 4.5 The Complaining Party may also lodge an appeal with a competent common court.