



GRIEVANCE PROCEDURE

CERROS VALPARAISO TERMINAL S.A.

Revision 03

June 2014

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<p>Signature</p>	<p>Signature</p>	<p>Signature</p>



1. OBJECTIVE

To establish a procedure which allows to present grievances from the users of the Berth Nº2 of the Port of Valparaiso, to the Society Concessionary of Terminal Cerros Valparaiso S.A., from now TVCAL or Terminal, respect to the performance or services on which this last entity has participated.

On the basis of the above, claims submitted to TCVAL, for whatever motive, reason or circumstances (management, administrative, damage to load, etc) will be substained according to a procedure established with antelation which allows the parties to know about the form, deadlines, instances, and resolution ways to which its claims will be submit, with a transparent and efficient procedure for all the parties involved.

2. SCOPE

This procedure is applicable to all grievances presented to TCVAL by the users that have agreed our services or by third parties that, without an agreement, are considered affected by the terminal performance and are related with the development, quality, and execution of the operations related to loading or to the people that work under our facilities. **Those claims that do not meet this procedure will be considered for all purposes as not presented.**

3. DEFINITIONS

The following definitions are applicable to this document:

- a) **Berthing front:** refers to Berthing front Nº2 or Terminal Nº2 of the Port of Valparaiso awarded in concession to TCVAL by the Empresa Portuaria Valparaiso (Valparaiso Port Company).
- b) **Claim:** shall refer to a formal comunication presented to the Terminal, related to eventual and to alleged damages suffered by users or third parties.
- c) **Plaintiff:** Shall refer to all natural or legal person that agreed the services offered by TCVAL and has exclusive relation with the actions carried in the berthing facility, or all natural or legal person that, without having an agreement with TCVAL is considered affected for a situation or action by the Terminal.



4. CLAIM PROCEDURE

Stage 1: Presentation and Reception of Grievances

All grievances must always be presented in written, and considering the following:

- a) Communications send by email to "reclamos@tcval.cl". In this case the claim will be considered presented since the confirmation of the reception date of the email.
- b) Certified mail to TCVAL address, this is, Av. Errazuriz number 755, office number 708, Valparaiso.

At any of the option indicated above, the claims shall be done under the format indicated in the annex 1 of this procedure, must be conducted and/or attach the following:

- a) Relation to the facts, indicating the fundamentals of the claims and the reason with respect to a supposed and eventual responsibility of TCVAL.
- b) Valuation of the damages and the facts leading to calculation indicated.
- c) Background and / or founded documentation of the facts and claims indicated.

The grievances will be managed and coordinated by the Insurance and Grievances Coordinator of TCVAL, for the exposed, **all inquires regarding to the progress and resolution of the cases must be done direct and exclusively to this coordinator, throught any of the forms of communication indicated above, considering as not made any other type of inquires not carried out under the indicated manner.**

Once received the claim the indicated official must do the following during the next 72 hours:

- a) To Assign the TCVAL reference.
- b) Confirm the formal reception of the claim and indicate the assigned reference to the plaintiff.
- c) Register the claim in TCVAL´s internal control system.

Stage II: Distribution

The Insurance and Grievances Coordinator, after performing the indicated measures and depending of the nature of the claim, must distribute the case to the designated area of TCVAL, for analyze internally the issue.



PROCEDURE

REC-P00

CLAIMS OF USERS

REV. 1

Date: June 11th 2014

Page nº4 of 5

Stage III: analysis and deadlines for resolution of Grievances

The area in charge of the studies, analysis, and resolution of grievances will have a deadline of 45 days to issue its statement. The indicated resolutions are intended for all the legal effects as TCVAl resolutions, previously approved by the General Manager.

Exceptionally, the claims by facturation errors will be analysed directly by the Billing Department and the answer for this type of claims will be send in no more than 2 working days deadline since its presentation. In the case the claim is received, it must aim the issue and the resolution adopted by TCVAl; however, if it is not received, it must aim this issue with the reasons that prove its rejection.

Stage IV: Closing and Resolution of Grievances

The resolution of the case must be informed by the corresponding area to the Insurance and Grievances Coordinator, who must notify the resolution to the plaintiff by written, through any of the ways of communication indicated in the above number four, with a deadline of 72 hours after received.

In case the claim is rejected, the resolution must be always fundamented and it must contain the factual and legal antecedents that it is been supported. Nevertheless, if the indicated resolution has technical aspects, the notification shall be carried by the involved area, as well with the Insurance and Grievances Coordinator.

In the event the claim is accepted by TCVAl, the plaintiff will be receive a proposal of closing, which concretion will be subject to the signing of a transaction agreement, having present that the terms of the agreement will be communicated in confidential manner and under express reservation of rights.

If the user does not accept the rejection and/or the closing proposal by TCVAl, he or she might present his claim to Valparaiso's Port Company (Empresa Portuaria Valparaiso - EPV), in the terms the article 56 of the Regulation of Use of Front Berth or the person can concur to the Court within the periods of limitation or prescription established by law.



5. ANNEX

ANNEX I - Draft for Grievances letter

Valparaiso,(day)____ of_(Month)_____ of 20__

Cerros Valparaiso Terminal S.A.
Av. Errazuriz 755, office 708
Valparaiso
Reference: Formal Claim

Dear Mr. or Mrs.:

Through the present we would like to present to TCVAl the following complaint, related with the following situations:

(Relate the situation here)

To prove the above, we attach the following documents (photos, surveyors report, bills, medical report, etc.)

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

With anything else to add, I hope to have a favorable response,

Claimant information

Company: _____

DNI: _____

Person to contact to obtain more information and/or send the answer

Mr. or Mrs.: _____

Email: _____

Phone number: _____ (landline and/or cellphone)