



Carriage of Goods by Road Act 1965

CHAPTER 37

CARRIAGE OF GOODS BY ROAD ACT 1965

- 1 Convention to have force of law.
- 2 Designation of High Contracting Parties.
- 3 Power of court to take account of other proceedings.
- 4 Registration of foreign judgments.
- 5 Contribution between carriers.
- 6 Actions against High Contracting Parties.
- 7 Arbitrations.
- 8 Resolution of conflicts between Conventions on carriage of goods.
- 8A Amendments consequential on revision of Convention.
- 9 Application to British possessions, etc.
- 10 Application to Scotland.
- 11 Application to Northern Ireland.
- 12 Orders in Council.
- 13 Application to Crown.
- 14 Short title, interpretation and commencement.

SCHEDULE — Convention on the Contract for the International Carriage of Goods by Road

Chapter I — SCOPE OF APPLICATION

Article 1

- 1 This Convention shall apply to every contract for the carriage...
- 2 For the purposes of this Convention, “vehicles” means motor vehicles,...
- 3 This Convention shall apply also where carriage coming within its...
- 4 This Convention shall not apply: (a) to carriage performed under...

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5 The Contracting Parties agree not to vary any of the...

Article 2

1 Where the vehicle containing the goods is carried over part...

2 If the carrier by road is also himself the carrier...

Chapter II — PERSONS FOR WHOM THE CARRIER IS RESPONSIBLE

Article 3

Chapter III — CONCLUSION AND PERFORMANCE OF THE CONTRACT OF CARRIAGE

Article 4

Article 5

1 The consignment note shall be made out in three original...

2 When the goods which are to be carried have to...

Article 6

1 The consignment note shall contain the following particulars:

2 Where applicable, the consignment note shall also contain the following...

3 The parties may enter in the consignment note any other...

Article 7

1 The sender shall be responsible for all expenses, loss and...

2 If, at the request of the sender, the carrier enters...

3 If the consignment note does not contain the statement specified...

Article 8

1 On taking over the goods, the carrier shall check:

2 Where the carrier has no reasonable means of checking the...

3 The sender shall be entitled to require the carrier to...

Article 9

1 The consignment note shall be prima facie evidence of the making of...

2 If the consignment note contains no specific reservations by the...

Article 10

Article 11

1 For the purposes of the Customs or other formalities which...

2 The carrier shall not be under any duty to enquire...

3 The liability of the carrier for the consequences arising from...

Article 12

1 The sender has the right to dispose of the goods,...

2 This right shall cease to exist when the second copy...

3 The consignee shall, however, have the right of disposal from...

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- 4 If in exercising his right of disposal the consignee has...
- 5 The exercise of the right of disposal shall be subject...
- 6 When, by reason of the provisions of paragraph 5(b) of...
- 7 A carrier who has not carried out the instructions given...

Article 13

- 1 After arrival of the goods at the place designated for...
- 2 The consignee who avails himself of the rights granted to...

Article 14

- 1 If for any reason it is or becomes impossible to...
- 2 Nevertheless, if circumstances are such as to allow the carriage...

Article 15

- 1 Where circumstances prevent delivery of the goods after their arrival...
- 2 Even if he has refused the goods, the consignee may...
- 3 When circumstances preventing delivery of the goods arise after the...

Article 16

- 1 The carrier shall be entitled to recover the cost of...
- 2 In the cases referred to in article 14, paragraph 1,...
- 3 The carrier may sell the goods, without awaiting instructions from...
- 4 If the goods have been sold pursuant to this article,...
- 5 The procedure in the case of sale shall be determined...

Chapter IV — LIABILITY OF THE CARRIER

Article 17

- 1 The carrier shall be liable for the total or partial...
- 2 The carrier shall however be relieved of liability if the...
- 3 The carrier shall not be relieved of liability by reason...
- 4 Subject to article 18, paragraphs 2 to 5, the carrier...
- 5 Where under this article the carrier is not under any...

Article 18

- 1 The burden of proving that loss, damage or delay was...
- 2 When the carrier establishes that in the circumstances of the...
- 3 This presumption shall not apply in the circumstances set out...
- 4 If the carriage is performed in vehicles specially equipped to...
- 5 The carrier shall not be entitled to claim the benefit...

Article 19

Article 20

- 1 The fact that goods have not been delivered within thirty...
- 2 The person so entitled may, on receipt of compensation for...
- 3 Within the thirty days following receipt of such notification, the...
- 4 In the absence of the request mentioned in paragraph 2...

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Article 21

Article 22

- 1 When the sender hands goods of a dangerous nature to...
- 2 Goods of a dangerous nature which, in the circumstances referred...

Article 23

- 1 When, under the provisions of this Convention, a carrier is...
- 2 The value of the goods shall be fixed accordingly to...
- 3 Compensation shall not, however, exceed 8.33 units of account per...
- 4 In addition, the carriage charges, Customs duties and other charges...
- 5 In the case of delay, if the claimant proves that...
- 6 Higher compensation may only be claimed where the value of...
- 7 The unit of account mentioned in this Convention is the...

Article 24

Article 25

- 1 In case of damage, the carrier shall be liable for...
- 2 The compensation may not, however, exceed: (a) if the whole...

Article 26

- 1 The sender may, against payment of a surcharge to be...
- 2 If a declaration of a special interest in delivery has...

Article 27

- 1 The claimant shall be entitled to claim interest on compensation...
- 2 When the amounts on which the calculation of the compensation...

Article 28

- 1 In cases where, under the law applicable, loss, damage or...
- 2 In cases where the extra-contractual liability for loss, damage or...

Article 29

- 1 The carrier shall not be entitled to avail himself of...
- 2 The same provision shall apply if the wilful misconduct or...

Chapter V — CLAIMS AND ACTIONS

Article 30

- 1 If the consignee takes delivery of the goods without duly...
- 2 When the condition of the goods has been duly checked...
- 3 No compensation shall be payable for delay in delivery unless...
- 4 In calculating the time-limits provided for in this Article the...
- 5 The carrier and the consignee shall give each other every...

Article 31

- 1 In legal proceedings arising out of carriage under this Convention,...
- 2 Where in respect of a claim referred to in paragraph...

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- 3 When a judgment entered by a court or tribunal of...
- 4 The provisions of paragraph 3 of this article shall apply...
- 5 Security for costs shall not be required in proceedings arising...

Article 32

- 1 The period of limitation for an action arising out of...
- 2 A written claim shall suspend the period of limitation until...
- 3 Subject to the provisions of paragraph 2 above, the extension...
- 4 A right of action which has become barred by lapse...

Article 33

Chapter Vi — PROVISIONS RELATING TO CARRIAGE PERFORMED BY
SUCCESSIVE CARRIERS

Article 34

Article 35

- 1 A carrier accepting the goods from a previous carrier shall...
- 2 The provisions of article 9 shall apply to the relations...

Article 36

Article 37

A carrier who has paid compensation in compliance with the...

Article 38

Article 39

- 1 No carrier against whom a claim is made under articles...
- 2 A carrier wishing to take proceedings to enforce his right...
- 3 The provisions of article 31, paragraphs 3 and 4, shall...
- 4 The provisions of article 32 shall apply to claims between...

Article 40

Chapter VII — NULLITY OF STIPULATIONS CONTRARY TO THE CONVENTION

Article 41

- 1 Subject to the provisions of Article 40, any stipulation which...
- 2 In particular, a benefit of insurance in favour of the...

— PROTOCOL OF SIGNATURE

- 1 This Convention shall not apply to traffic between the United...

Changes to legislation:

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