



# 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
- 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...
- 3 This Convention shall apply also where carriage coming within its...
- 4 This Convention shall not apply: (a) to carriage performed under...
- 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...
- 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...
- 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...

#### 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 according to...
- 3 Compensation shall not, however, exceed 25 francs per kilogram of...
- 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...

#### 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...
- 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...
- 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

### 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...