

Changes to legislation: There are currently no known outstanding effects for the Carriage of Goods by Road Act 1965, Cross Heading: Article 23. (See end of Document for details)

SCHEDULE

CONVENTION ON THE CONTRACT FOR THE INTERNATIONAL CARRIAGE OF GOODS BY ROAD

CHAPTER IV

LIABILITY OF THE CARRIER

Article 23

- 1 When, under the provisions of this Convention, a carrier is liable for compensation in respect of total or partial loss of goods, such compensation shall be calculated by reference to the value of the goods at the place and time at which they were accepted for carriage.
- 2 The value of the goods shall be fixed accordingly to the commodity exchange price or, if there is no such price, according to the current market price or, if there is no commodity exchange price or current market price, by reference to the normal value of goods of the same kind and quality.
- [^{F1}3 Compensation shall not, however, exceed 8.33 units of account per kilogram of gross weight short]

Textual Amendments

F1 Para. 3 substituted by Carriage by [Air and Road Act 1979 \(c. 28\)](#), **ss. 4(2)(a)**, 7(2)

- 4 In addition, the carriage charges, Customs duties and other charges incurred in respect of the carriage of the goods shall be refunded in full in case of total loss and in proportion to the loss sustained in case of partial loss, but no further damages shall be payable.
- 5 In the case of delay, if the claimant proves that damage has resulted therefrom the carrier shall pay compensation for such damage not exceeding the carriage charges.
- 6 Higher compensation may only be claimed where the value of the goods or a special interest in delivery has been declared in accordance with articles 24 and 26.
- [^{F2}7 The unit of account mentioned in this Convention is the Special Drawing Right as defined by the International Monetary Fund. The amount mentioned in paragraph 3 of this article shall be converted into the national currency of the State of the Court seised of the case on the basis of the value of that currency on the date of the judgment or the date agreed upon by the Parties.]

Textual Amendments

F2 Para. 7 inserted by Carriage by [Air and Road Act 1979 \(c. 28\)](#), **ss. 4(2)(b)**, 7(2)

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