
Changes to legislation: There are outstanding changes not yet made to Regulation (EC) No 1371/2007 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

ANNEX I

Extract from Uniform Rules concerning the contract for international carriage of passengers and luggage by rail (CIV)

Appendix A

to the Convention Concerning International Carriage by Rail (COTIF) of 9 May 1980, as modified by the Protocol for the modification of the Convention Concerning International Carriage by Rail of 3 June 1999

TITLE IV

LIABILITY OF THE CARRIER

Chapter III

Liability in respect of hand luggage, animals, registered luggage and vehicles

SECTION 3

Vehicles

Article 44

Compensation for delay

1 In case of delay in loading for a reason attributable to the carrier or delay in delivery of a vehicle, the carrier must, if the person entitled proves that loss or damage has been suffered thereby, pay compensation not exceeding the amount of the carriage charge.

2 If, in case of delay in loading for a reason attributable to the carrier, the person entitled elects not to proceed with the contract of carriage, the carriage charge shall be refunded to him. In addition the person entitled may, if he proves that loss or damage has been suffered as a result of the delay, claim compensation not exceeding the carriage charge.

Article 45

Compensation for loss

In case of total or partial loss of a vehicle the compensation payable to the person entitled for the loss or damage proved shall be calculated on the basis of the usual value of the vehicle. It shall not exceed 8 000 units of account. A loaded or unloaded trailer shall be considered as a separate vehicle.

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Article 46

Liability in respect of other articles

1 In respect of articles left inside the vehicle or situated in boxes (e.g. luggage or ski boxes) fixed to the vehicle, the carrier shall be liable only for loss or damage caused by his fault. The total compensation payable shall not exceed 1 400 units of account.

2 So far as concerns articles stowed on the outside of the vehicle, including the boxes referred to in paragraph 1, the carrier shall be liable in respect of articles placed on the outside of the vehicle only if it is proved that the loss or damage results from an act or omission, which the carrier has committed either with intent to cause such a loss or damage or recklessly and with knowledge that such loss or damage would probably result.

Article 47

Applicable law

Subject to the provisions of this Section, the provisions of Section 2 relating to liability for luggage shall apply to vehicles.

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 3(1) word substituted by [S.I. 2018/1165 reg. 7\(a\)](#)
- Art. 3(4) words substituted by [S.I. 2018/1165 reg. 7\(b\)](#)
- Art. 3(5) words substituted by [S.I. 2018/1165 reg. 7\(c\)](#)
- Art. 3(6) words substituted by [S.I. 2018/1165 reg. 7\(d\)](#)
- Art. 3(11) words substituted by [S.I. 2018/1165 reg. 7\(e\)](#)
- Art. 3(16) words substituted by [S.I. 2018/1165 reg. 7\(f\)](#)
- Art. 3(18) inserted by S.I. 2019/1165, reg. 7(g) (as inserted) by [S.I. 2020/318 reg. 3\(2\)\(b\)](#)
- Art. 21(3) inserted by [S.I. 2018/1165 reg. 13](#) (This amendment not applied to legislation.gov.uk. Reg. 13 substituted immediately before IP completion day by S.I. 2020/318, regs, 1(2)(b), 3(3)(d))
- Art. 21(3) inserted by S.I. 2019/1165, reg. 13(b) (as substituted) by [S.I. 2020/318 reg. 3\(4\)](#)
- Art. 30(2)(3) substituted for Art. 30(2) by [S.I. 2018/1165 reg. 17\(b\)](#)