

Liability Limits

National and International Traffic



Legal basis	Period of liability	Extent of liability / Limits	Notice of claim after receipt of damaged goods	Limitation period
Post – domestic				
«Postal services» General terms and conditions	From receipt by the Post Office until delivery (P.O. Box, counter or, except for items with declared value, domicile of consignee)	As specified in the «Postal services» General terms and conditions	In general: within 8 days. For items with declared value: by the next working day after delivery, with simultaneous submission of damaged goods including packing	1 year
Post – international				
International Postal Union Treaty and Post Office Regulations	From receipt by the Post Office until delivery (P.O. Box, counter or, except for items with declared value, domicile of consignee)	As specified in the International Postal Union Treaty and Post Office Regulations	In general: within 7 days. For items with declared value: by the next working day after delivery, with simultaneous submission of damaged goods including packing	1 year
Rail – domestic				
Swiss Transport Law (1985) and Transport Regulations (1986)	From collection until delivery	CHF 150 per kg gross. Delay: CHF 2000 per car, or CHF 500 per LCL consignment	Visible damage: on delivery. Concealed damage: within 7 days	1 year
Rail – international				
Uniform Rules concerning the contract for International Carriage of Goods by Rail (CIM 1985)	From collection until delivery	SDR 17 per kg gross, plus freight, customs and expenses. Delay: 3 times the freight	Visible damage: on delivery. Concealed damage: within 7 days	1 year
Road – domestic				
Swiss Code of Obligations (CO) Art. 440 ff., unless otherwise specified	From collection until delivery	Loss, damage or delay: full compensation, or according to special conditions agreed	Visible damage: on delivery. Concealed damage: within 8 days	1 year
Road – international				
Convention on the Contract for the International Carriage of Goods by Road (CMR 1956)	From collection until delivery	SDR 8,33 per kg gross (for countries which have not ratified the Protocol: 25 gold Swiss francs per kg gross – equivalent according to national law), plus freight, customs and expenses. Delay: cost of freight	Visible damage: on delivery. Concealed damage: within 7 days	1 year

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Air freight				
Warsaw Convention as amended by the Hague Protocol (1955) Montreal Convention (28. 05. 1999)	From collection until Delivery. From collection until delivery	SDR 17 per kg for damage to goods and delay. For countries which have not ratified the relevant Montreal Protocols: 250 gold Swiss francs per kg	Visible damage: on delivery. Concealed damage: within 7 days according to the Warsaw Convention, within 14 days according to the Hague Protocol	2 years
Courier service				
No binding regulations; according to conditions agreed	From collection until delivery	Varies according to conditions	According to conditions	According to conditions
Forwarding				
As a rule, General Conditions of the Swiss Association of Forwarding Agents (GC SPEDLOGSWISS 2005)	From receipt until delivery	SDR 8,33 per kg, max. SDR 20 000 per event	Within 8 days, or within the time limit specified by the last forwarder	1 year
Sea				
Hague Rules (1924)	From receipt until discharge	100 pounds sterling (in gold) per unit or the equivalent in the country's own currency	Visible damage: on delivery. Concealed damage: within 3 days	1 year
Hague-Visby Rules (1968) resp. Additional Protocol (1979)	From receipt until discharge	SDR 666 2/3 per unit or SDR 2 per kg	Visible damage: on delivery. Concealed damage: within 3 days	1 year
Hamburg Rules (1978) (the United Nations convention on the Carriage of Goods by Sea, 1978)	From port to port	SDR 835 per unit or SDR 2,5 per kg. Delay: 2.5 times freight	Visible damage: 1 day after delivery. Concealed damage: 15 days	2 years
Inland shipping (Rhine)				
Swiss Rhine Shipping Conditions (SRSC) 2002 Ocean Shipping Regulations Art. 44 (12.11.56)	From receipt until delivery	SDR 250 per package /unit or SDR 1 per kg (if higher) SDR 1 500 per container excluding goods SDR 20 000 per container including goods limited however with SDR 500 000 per event	Visible damage: on delivery. Concealed damage: within 3 days	1 year
Combined (multimodal) transport				
No binding regulations, e.g. according to «UNCTAD/ICC Rules for Multimodal Transport Documents» (ICC publ. no. 481)	Throughout	Varies according to forwarder's Through Bill of Lading (e.g. FIATA TBL, SAFA TBL, ICC TBL)	Varies	Varies

CIM	Règles uniformes concernant le contrat de transport international ferroviaire des marchandises (Uniform Rules concerning the Contract for International Carriage of Goods by Rail)
CRM	Convention relative au contrat de transport international de marchandises par route (Convention on the Contract for the International Carriage of Goods by Road)
FIATA	International Federation of Forwarders' (and associates) Association
IATA	International Air Transport Association
ICC	International Chamber of Commerce
SDR	Special drawing rights
TBL	Through Bill of Lading
UNCTAD	United Nations Conference on Trade and Development

Liabilities

The carriers legal or contractual liability does not mean that the carrier is automatically responsible for any claim. Also please keep in mind that the maximum monetary liability limitations are very often far below the actual cargo value.

Claims

Notice of claim must be given in writing both for externally recognizable as well as concealed damages. Moreover, a written reserve for visible damages must be made upon receipt of the goods on the delivery note or waybill.

General remarks

This information is a collection of extracts from various national and international agreements and laws. The respective contractual resp. legal stipulations are decisive.