

**National TIR Seminar in
Republic of Serbia
(Belgrade, 13 December 2006)**

Accidents and force-majeure

**United Nations
Economic Commission for Europe**

**TIR
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ACCIDENTS AND FORCE-MAJEURE

- **What is force majeure?**
- **Article 41: duties and taxes are waived if the goods have been destroyed or lost by accident or force majeure or that they are short by reason of their nature**
- **National legislation also applies**
- **Three objects that can be affected:**
 - **Customs seals – if broken, the Certified Report of the TIR Carnet should be filled-in**
 - **Goods – if destroyed or damaged, the certified report of the TIR Carnet should be filled-in**
 - **Road vehicle (load compartment or container) – in case of serious damage, box 10 of the Certificate of Approval should be filled-in**

ACCIDENTS AND FORCE-MAJEURE

- **Legal basis:**
 - **Articles 25 and 41**
 - **part C of the Rules regarding the use of the TIR Carnet (Annex 1 to the Convention)**
 - **Annex 3, Articles 19 – 22**
- **What the transport operator should do:**
 - **immediately contact the Customs authorities, if there are any near at hand, or, if not, any other competent authorities of the country (e.g., road police)**
 - **in the event of imminent danger – undertake actions to rescue the whole or part of the load, then inform the above mentioned authorities and furnish proof of emergency**

ACCIDENTS AND FORCE-MAJEURE

- **What the Customs authorities should do:**
 - **make sure that an accident or force majeure have indeed taken place**
 - **if appropriate, fill in the certified report**
 - **if appropriate, fill in box 10 of the Certificate of Approval**
 - **take a decision if the TIR transport may be continued by the same road vehicle**
 - **if not, be present in the course of transfer of the load to another vehicle**
 - **affix new Customs seals**

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THANK YOU