

Rotterdam Rules

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Existing legislation in maritime transport

- the Hague Rules (1924)
- the Hague Visby Rules (1968) and
- Hamburg Rules (1978).



Existing legislation in other transport modes

Road

- CMR Convention 1956. When the vehicle makes use of another modes of transport this Convention continues to apply.
- FCMR.

Rail

- the COTIF CIM Convention 1999. The COTIF-CIM is applicable when a loaded railway wagon is carried by sea onwards.
- Agreement on International Goods Transport (SMGS) regulates contracts in Eastern Europe, Central Asia, Caucasus, China.

Inland waterways

the Budapest Convention CMNI 2000.

Air

The Montreal Convention, 1999.



Need for modernisation in maritime transport

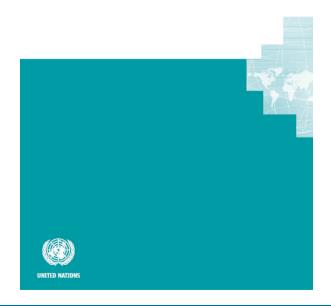
The Rotterdam Rules:

- Establishes a modern, comprehensive, uniform legal regime governing the rights and obligations of shippers, carriers and consignees under a contract for door to door shipments that involve international sea transport.
- Including digitalisation of the information
- Improved liability.



The Rotterdam Rules

United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea





The Rotterdam Rules content

- Chapter 1. General provisions
- Chapter 2. Scope of application
- Chapter 3. Electronic transport records
 - Article 8. Use and effect of electronic transport records
- Chapter 4. Obligations of the carrier
 - Article 11. Carriage and delivery of the goods
 - Article 12. Period of responsibility of the carrier
- Chapter 5. Liability of the carrier for loss, damage or delay
- Chapter 6. Additional provisions relating to particular stages of carriage
 - Article 26. Carriage preceding or subsequent to sea carriage
- Obligations of the shipper to the carrier Chapter 7.
 - Article 28. Cooperation of the shipper and the carrier in providing information and instructions



The Rotterdam Rules content

- Chapter 8. Transport documents and electronic transport records
 - Article 35. Issuance of transport document / electronic transport record
 - Article 36. Contract particulars
- Chapter 9. Delivery of the goods
- Chapter 10. Rights of the controlling party
- Chapter 11. Transfer of rights
- Chapter 12. Limits of liability
 - Article 59.Limits of liability
- Chapter 13. Time for suit
- Chapter 14. Jurisdiction
- Chapter 15. Arbitration
- Chapter 17. Matters not governed by this Convention
 - Article 82. International conventions governing the carriage of goods by other modes of transport
- Chapter 18. Final clauses



Consequences and results

- Better uniformity in procedures
- Digitalisation improves and is faster
- Reducing costs
- Multi modal transport is supported

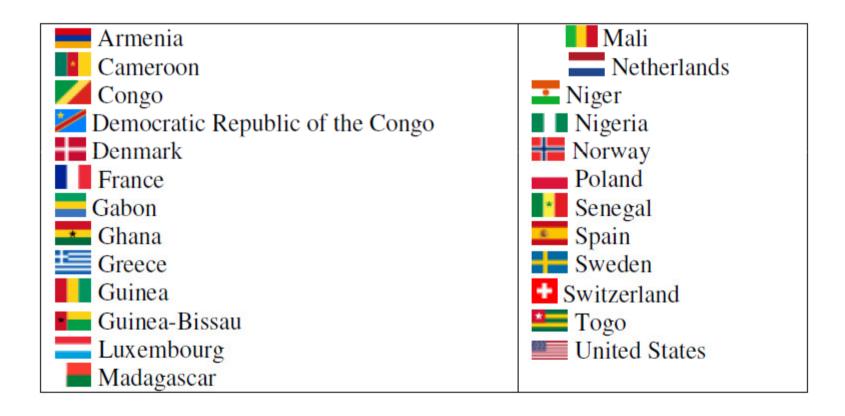


Rotterdam Rules status of implementation

- Entering force: 20 countries have ratified
- In total 24 signatories
- 3 countries have ratified:
 - Congo
 - Spain
 - Togo
- But several countries are in the process of implementing
 - Poland, US, NL



Signatories Rotterdam Rules





Related issues

- Improving quality of the data provided
- Better link with intermodal transport
- Implement agreements in other modes of transport
 - CTU code packing containers
 - Road transport (weights and dimensions)
 - Rail transport (prevention overloading)
 - Inland navigation (stability)
 - Maritime transport (obligation to determine mass containers)



Conclusions and Summary

Rotterdam Rules

- Modernisation and Update of old 19th and 20th century agreements
- Review of responsibility
- Digital versions
- Multimodal contracts; may reduce border delay

Related topics - Provide correct information in the supply chain

- Mass containers / IMO
- Prevention overloading
- Correct information: EU directive 96/53
- Inland navigation



Thank you for your attention!

Questions?