UNECE WP 24 1-2 October 2007

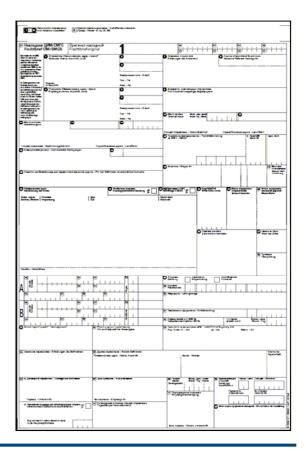
Legal Interoperability CIM / SMGS Latest developments

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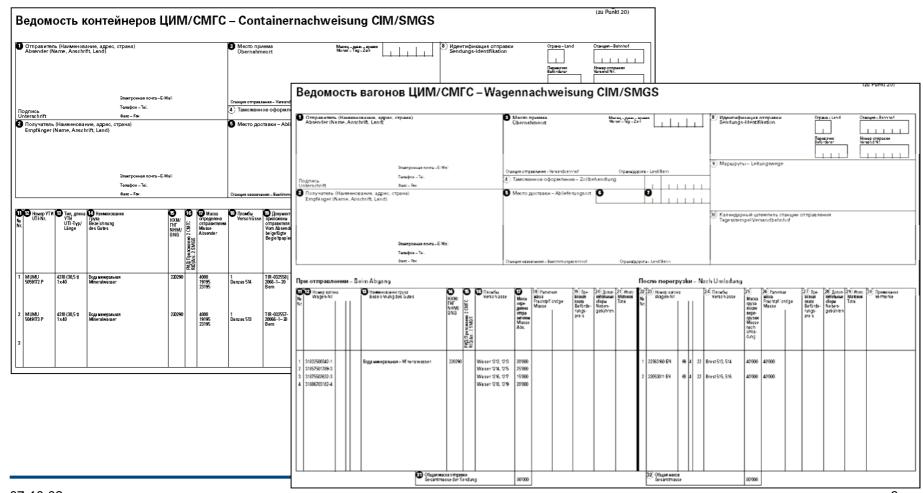
Phase 1: Common CIM/SMGS Consignment note

- Today used on several lines: listed in CIT's Manual for CIM/SMGS consignment note
- Examples:
 - Germany Ukraine
 - Czech Republic Ukraine
- Objective for the next months: extend the application of the consignment note in practice
- Electronic consignment note: work in progress





Phase 1: Wagon and container lists





Phase 2: Standardisation of CIM/SMGS liability regimes

Objective:

- > Harmonised provisions for the 2 legal relationships:
 - customer RU
 - RU RU

In practice:

- √ Guidelines to the liability regimes of CIM and SMGS.
- √ Common CIM/SMGS formal report
- √ Legal presumption following reconsignment
- ➤ Common CIM/SMGS claims handling system



Phase 2: Common CIM/SMGS formal report and legal presumption

- Formal report (Tatbestandaufnahme)
 - > used by the RU when it sees a damage
- Legal presumption (28 CIM)
 - > when there is no formal report on the damage
 - ➤ advantage for the consignee: the last carrier must handle his claim even if it is not effectively liable or the consignor is liable if the damage was caused by the loading
- Claims handling system: work in progress

