

Conventions summary

April 2021



Notification Periods

	Road					Sea			Air			Rail	Other		English Law (No Conditions)
Description	CMR	RHA 2009	RHA 2020	FTA 2017	FTA 2018	Hague	Hague Visby	Hamburg	Warsaw	Amended (Warsaw)	Montreal	COTIF	BIFA	UKWA	
For delay	21A	28/42H	28G/H	3D/H / 28	3B/H or Where no date of delivery agreed – 63C/H	N/A	N/AA	60	14	21	21	60G	14D	21D/E	
Total loss	30 th day after expiry of agreed time limit for delivery, or, in absence of agreement: 60 th day goods taken over by carrierA	7/14H	7G/H	28G/H	14C/H/I	N/A	N/AA	N/A	N/A	N/A	N/A	14D	21D/E		
Partial loss or damage	Time of delivery A/B	7/14H	7G/H	3/14	7B/H/I	Time of deliveryB	Time of deliveryA/B	1	7	14	14	Time of deliveryB	14D	21D/E	
Non - apparent partial loss or damage	7A	7/14H	7G/H	3/14	7	3	3A	15	7	14	14	7	14D	21D/E	

A - Rebuttable presumption only

B - Time of delivery

C - From commencement of carrier's responsibility for consignment

D - Part only

E - Cause of claim coming to customers' knowledge, whichever is later

F - Seven days in case of sub-contract

G - From end of transit period

H - Preliminary / detailed claim

I - To include fully particularised details of the claim also provided within 14 days of carrier's responsibility having ended

Time limit to sue

	Road					Sea			Air	Rail	Other	English Law
Description	CMR	RHA 2009	RHA 2020	FTA 2017	FTA 2018	Hague	Hague Visby	Hamburg	Warsaw/Amended (Warsaw) and Montreal Conventions	COTIF	BIFA/UKWA	
Claims for partial loss (from date of deliver/ when delivery should have taken place)	One year ^A	One year ^E	One year ^F	Six years	One year ^A Where no delivery date agreed one year ^B	One year ^A	One year ^J	Two years ^I	Two years ^J	One year	Nine months ^I	Six years
Claims for total loss	One year ^B + 30/60 days	One year ^E	One year ^F	Six years	One year ^A Where no delivery date agreed one year ^B	One year ^A	One year ^J	Two years	Two years ^J	One year + 30 days	Nine months ^I	Six years
All other claims	One year + three months ^C	One year ^E	One year ^F	Six years	One year ^A Where no delivery date agreed one year ^B	One year ^A	One year ^J	Two years	Two years ^J	One year ^K	Nine months ^I	Six years
Wilful misconduct	As stated Three years	One year ^E	One year ^F	Six years	One year ^A Where no delivery date agreed one year ^B	One year ^A	One year ^J	Two years	Two years ^J	Two years	Nine months ^I	Six years
Indemnity between carriers	One year ^D	One year ^E	One year ^F	Six years	One year ^A Where no delivery date agreed one year ^B	One year ^A	One year ^J , [or three months from date of loss ^D]	Two years (or 90 days) ^F	Two years ^J	One year	Nine months ^I	Six years (or two years for a contribution claim) ^D

A - From date of delivery or date should have been delivered

B - From day of expiry of agreed time limit / day goods taken-over by carrier

C - From making contract of carriage

D - From judgment or payment of cargo claim

E - From commencement of transit

F - From commencement of transit; transit shall commence after consignment has left the premises from where the consignment has been collected

G - From day of settlement or service process

H - From date of arrival at destination or date on which aircraft ought to have arrived, or date carriage stopped

I - From event giving rise to cause of action (NB proceedings must also be notified under BIFA and served under UKWA)

J - From discharge

K - General rule only - two years certain claims

Financial limits

	Road					Sea			Air			Rail	Other	
Description	CMR	RHA 2009	RHA 2020	FTA 2017	FTA 2018	Hague	Hague Visby	Hamburg	Warsaw	Amended (Warsaw)	Montreal 1999	COTIF	BIFA	UKWA
Per package	N/A	N/A	N/A	N/A	N/A	£100 ^D	666.67 SDR ^{E/F}	835 SDR	N/A	N/A	N/A	N/A	N/A	N/A
Per weight (gross)	8.33 SDR per kg ^A	£1,300 per ton	£1,300 per ton	£2,000 per ton ^C	£1,300 ^C per ton or £500 for total consignment, whichever is greater but not exceeding the actual value of the consignment	N/A	2 SDR per kg ^{E/F}	2.5 SDR per kg	17SDR per kg ^A	17SDR per kg ^G	19 SDR per kg ^G (destruction/loss/damage) 22 SDR per kg (loss, damage, delay) ^H	17 SDR per kg ^A	Lesser of: Value of Goods 2 SDR per kg (gross weight) or 75,000 SDRs	£100 per ton ^A
Exclude duty	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No
Exclude consequential loss	Yes	Yes ^B	Yes	Yes ^B	Yes ^B	No	No	No	No	No	No	Yes	Yes	Yes

A - Of goods lost or damaged

B - Limited value

C - Per tonne of consignment or £500 whichever is greater

D - Multiplied by factor of 40+ calculated by reference to gold value rosa

E - Assuming SDR protocol applies

F - Whichever is the higher

G - Per KG of goods lost or damaged, or where part affects value of the entire consignment

H - As of 28 December 2019

Jurisdiction

	Road					Sea			Air			Rail	Other		English Law (No Conditions)
Description	CMR	RHA 2009	RHA 2020	FTA 2017	FTA 2018	Hague	Hague Visby	Hamburg	Warsaw	Amended (Warsaw)	Montreal	COTIF	BIFA	UKWA	
Silent as to jurisdiction						X	X								X
England and Wales		X	X	X	X								X ^{D/E}	X	
Jurisdiction of destination	X							X ^A	X	X	X				
Jurisdiction of despatch	X							X ^B							
Domicile of carrier	X							X	X	X	X	X			
As per contract	X							X	X ^C	X ^C	X ^C				

A - i.e. Port of discharge.

B - i.e. Port of loading.

C - i.e. where the carrier has as 'establishment' by which contract made.

D - Arbitration provision at option of members

E - Applies to English version only

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