

Helvetia Marine Insurance

# Domestic and international liability limits.

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# Domestic and international liability limits.

Legal basis	Liability period	Scope of liability Limits of Liability	Claim periods after acceptance of damaged goods	Limitation period
<b>Post – domestic</b>				
General Terms and Conditions of Swiss Post ( <a href="http://www.swisspost.ch">www.swisspost.ch</a> )	As per the General Terms and Conditions of Swiss Post ( <a href="http://www.swisspost.ch">www.swisspost.ch</a> )	As per the General Terms and Conditions of Swiss Post ( <a href="http://www.swisspost.ch">www.swisspost.ch</a> )	As per the General Terms and Conditions of Swiss Post ( <a href="http://www.swisspost.ch">www.swisspost.ch</a> )	As per the General Terms and Conditions of Swiss Post ( <a href="http://www.swisspost.ch">www.swisspost.ch</a> )
<b>Post – international</b>				
Universal Postal Convention and implementation rules of Swiss Post	From acceptance by Swiss Post to delivery (post office box, counter or – except for consignments of valuables – the recipient's domicile)	As per the Universal Postal Convention and implementation rules of Swiss Post	Generally: within 7 days For valuable consignments: by the next working day after delivery on presentation of the damaged object together with the packaging	1 year
<b>Rail – domestic</b>				
Switzerland. Public Transport Act (1985) and Public Transport Ordinance SDR 17 per kg gross plus freight charge (1986)	From acceptance to delivery	CHF 150 per kg gross For damage caused by delay: CHF 2'000.- per rail wagon or CHF 500 per consignment	For visible damage: on delivery; for concealed damage: within 7 days	1 year
<b>Rail – international</b>				
Uniform Rules concerning the Contract of International Carriage of Goods by Rail (CIM 1985)	From acceptance to delivery	SDR 17 per kg gross plus freight charge, customs duties and costs. For damage caused by delay: fourfold freight charge	For visible damage: on delivery; for concealed damage: within 7 days	1 year
<b>Road – domestic</b>				
Switzerland. Swiss Code of Obligations (CO) Art. 440ff unless otherwise agreed (e.g. ASTAG, AB Spedlogswiss)	From acceptance to delivery	<b>For loss, damage and damage caused by delay:</b> principle as per CO: compensation of full value  In practice: liability as per ASTAG provisions or as per Spedlogswiss GTCs ASTAG: CHF 15/kg, maximum CHF 40,000 per event AB Spedlogswiss: SDR 8.33/kg, maximum SDR 20000 per event	For visible damage: on delivery For concealed damage: within 8 days	1 year
<b>Road – cross-border</b>				
As per Convention on the Contract for the International Carriage of Goods by Road (CMR 1956)	From acceptance to delivery	SDR 8.33 per kg gross (for countries that have not ratified the Protocol: 25 gold francs per kg gross – equivalent value as per national legislation), plus freight charge, customs duties and costs; for damage caused by delay: freight charge	For visible damage: on delivery; for concealed damage: within 7 days	1 year
<b>Air</b>				
Montreal Convention (28.05.1999)	From acceptance to delivery	SDR 19 per kg for goods and damage caused by delay.  For countries that have not ratified the corresponding Montreal Protocol: 250 gold francs per kg	For visible damage: on delivery; for concealed damage: within 14 days as per Hague Protocol and Montreal Convention	2 years
<b>Courier service</b>				
No binding legal framework; as per general terms and conditions agreed	From acceptance to delivery	Varies depending on general terms and conditions	As per general terms and conditions	As per general terms and conditions
<b>Haulage, warehousing, shipping agent</b>				
As a general rule, the general terms and conditions of the Swiss Freight Forwarding and Logistics Association (GTC Spedlogswiss) apply	From beginning to end of charge by carrier	SDR 8.33 per kg and max. SDR 20000 per event	Within 8 days or within the liability period of the freight forwarder delivering the goods	1 year

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<b>Sea</b>				
Hague Rules 1927	From beginning to end of charge by carrier	100 pounds sterling in gold value per package, or converted to local currency	For visible damage: on delivery; For concealed damage: within 3 days	1 year
The Hague-Visby Rules 1968 and additional protocol (1979)	From beginning to end of charge by carrier	SDR 666 2/3 per package or SDR 2 per kg	For visible damage: on delivery; For concealed damage: within 3 days	1 year
Hamburg Rules 1978 (International Convention on the Carriage of Goods by Sea)	From acceptance of goods at port of loading to delivery at port of discharge	SDR 835 per package or SDR 2.5 per package For damage caused by delay: 2.5 times the freight charge	For visible damage: 1 day after delivery; For concealed damage: within 15 days	2 years
<b>Inland waterway</b>				
Swiss Rhine Transport Conditions (SRTB) 2002	From acceptance of goods to delivery	SDR 250 per package/loading unit or SDR 1 per kg (whichever is higher), SDR 1500 per container without goods, SDR 20000 per container with goods, but max. SDR 500000 per event SDR 666 2/3 per package or SDR 1 per kg - Rhine bill of lading	For visible damage: on delivery; For concealed damage: within 3 days	1 year
<b>Combined (multimodal) transport</b>				
No binding legal framework e.g. as per „UNCTAD/ ICC Rules for Multimodal Transport Documents“/ICC publication no. 481	Continuous	Varies, as per freight forwarder's through bill of lading (e.g. FIATA TBL, Spedlogswiss TBL, ICC TBL)	Varies	Varies

<b>Glossary</b>	
<b>CIM</b>	Uniform Rules concerning the Contract of International Carriage of Goods by Rail Règles uniformes concernant le contrat de transport international ferroviaire des marchandises
<b>CMR</b>	Convention relative au contrat de transport international de marchandises par route Convention on the Contract for the International Carriage of Goods by Road
<b>FIATA</b>	Fédération Internationale des Associations des Transporteurs et Assimilés International Federation of Freight Forwarders Associations
<b>IATA</b>	International Air transport Association
<b>ICC</b>	International Chamber of Commerce (see also IHK)
<b>IHK</b>	Internationale Handelskammer (see also ICC)
<b>SPEDLOGSWISS</b>	Swiss Freight Forwarding and Logistics Association
<b>SDR</b>	Special drawing rights
<b>TBL</b>	Through bill of lading
<b>UNCTAD</b>	United Nations Conference on Trade and Development

<b>Liability</b>	Contractual liability does not mean that the relevant carrier automatically has to pay for any damage caused. Please also note the restricted and limited, which is usually well below the actual value of the goods.
<b>Claims</b>	Claims should be made in writing, for visible and for concealed damages. In addition, in the event of visible damage, any reservations should be recorded in writing on the delivery slip or consignment note.

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