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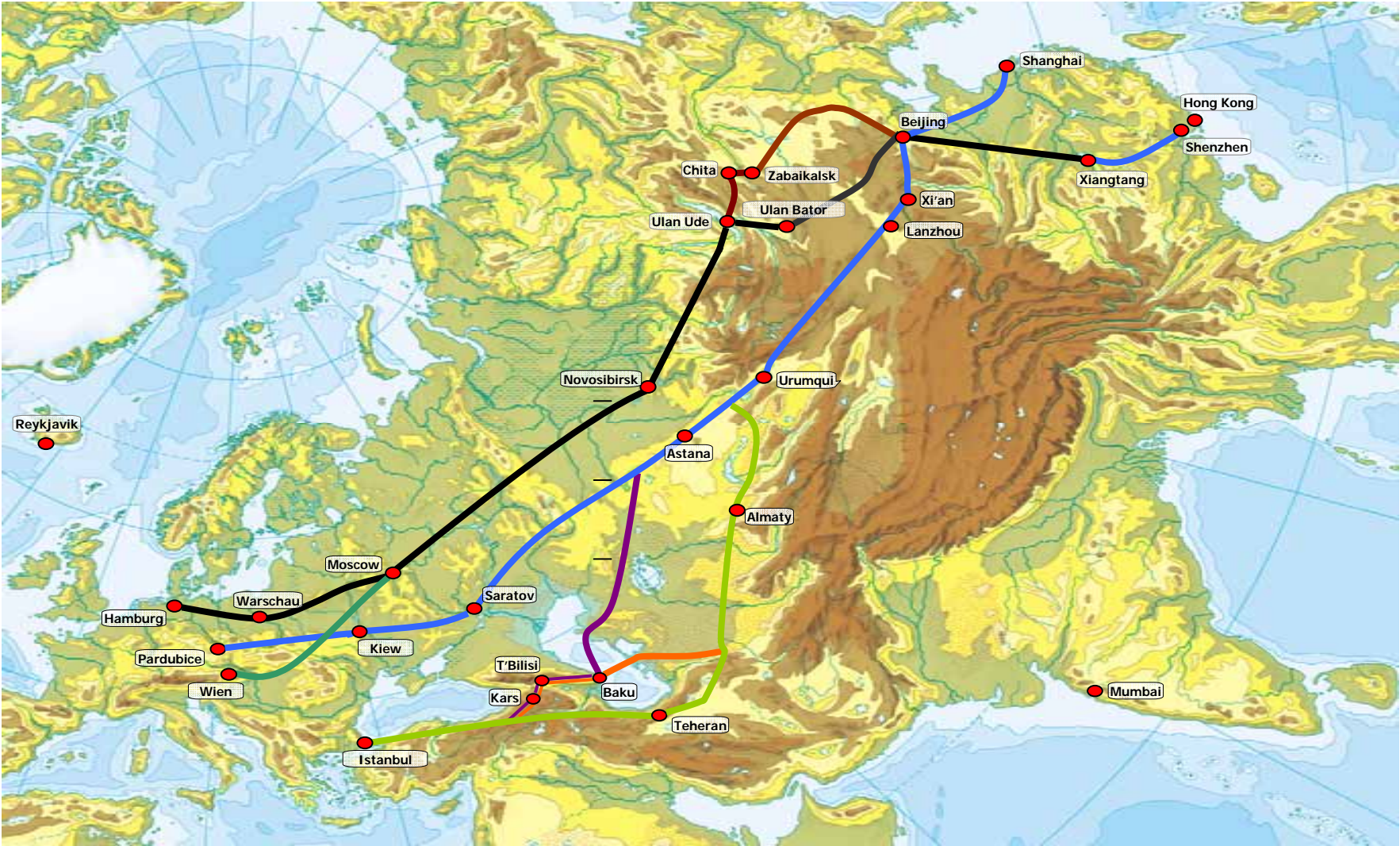
International Rail
Transport Committee

Legal Interoperability CIM/SMGS: toward unified rail transport law

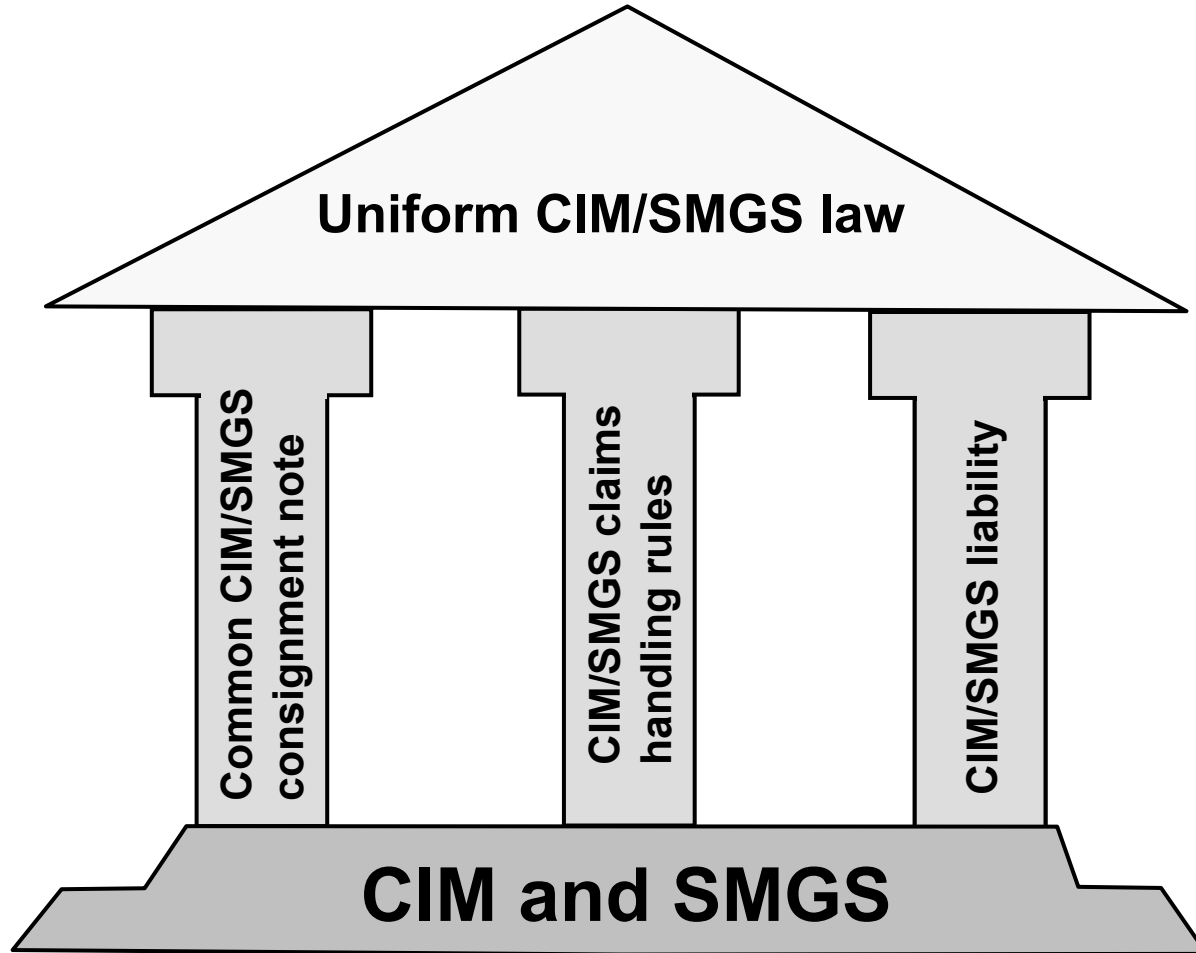
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Global supply chain from railway prospective



Uniform law for CIM/SMGS traffic



Electronic consignment note CIM/SMGS

- Legal basis for the electronic exchange of consignment note data:
 - Article 6 § 9 CIM: based on functional equivalence
 - Article 7 § 14 SMGS: based on an agreement between the carrier and the customer
- Electronic consignment note CIM/SMGS:
 - √ Functional specifications
 - √ Legal specifications
 - √ Technical specifications
 - Practical Implementation – the participating railways (support Raildata / OSJD / CIT)

Practical use of the CIM/SMGS consignment note

Traffic movements:

- More than 50 traffic axes in 4 TEN Corridors
- Examples:
 - Germany – Russia (via Poland and Belarus)
 - Germany – Ukraine
 - Czech Republic – Russia / Ukraine
 - Romania – Russia
- Saves time – 40 min per wagon
- Saves money – 30 € per wagon
- Improves the overall legal certainty

Further improvements:

- Using one CIM/SMGS consignment note plus a wagon list or container list
- Extending the scope of the CIM/SMGS consignment note

Overall advantages for customers and railway undertakings

- Mutual recognition of the formal report CIM/SMGS
- Matter of facts for partial loss or damage
- Transparent rules for the customers for the claims handling CIM/SMGS
- Standardised rules of procedure for the claims departments
- *Single window* for claims handling and payment of compensations
- *Harmonised* liability rules CIM/SMGS
- Overcome the *legal duality* in the international railway law
- *500 000 €: the CIM customers have lost in the time period 2008-2009*

Principles for harmonized CIM/SMGS liability

- *Special Terms and Conditions* for CIM/SMGS traffic (*STC-CIM/SMGS*)
- Inspired by CIM and SMGS principles
- The *contract of carriage* can refer to them
- Successive carriers on a long distance
- On some *transcontinental axes*
- Carriers taking part accept *joint* liability
- *Relief* from liability in accordance with the CIM and/or SMGS