

Procedure relating to handling transport complaints

Types of transport complaints:

- I) relating to delays in the delivery of goods
- II) relating to lack of or damage to goods
 - a) apparent damage
(missing items or damage visible during goods reception)
 - b) concealed damage
(missing items or damage not visible during goods reception, e.g. soaking)

I	DELAYS IN THE DELIVERY OF GOODS	2
	1. INTERNATIONAL ROAD TRANSPORT	2
	2. DOMESTIC ROAD TRANSPORT	2
IIa	LACK OF OR DAMAGE TO GOODS - APPARENT DAMAGE	2
	1. INTERNATIONAL ROAD TRANSPORT	2
	2. DOMESTIC ROAD TRANSPORT	3
IIb	LACK OF OR DAMAGE TO GOODS - CONCEALED DAMAGE	3
	1. INTERNATIONAL ROAD TRANSPORT	3
	2. DOMESTIC ROAD TRANSPORT	3

I

Delays in the delivery of goods

1. INTERNATIONAL ROAD TRANSPORT

- deadlines for reporting reservations (to the carrier): asap but no later than within 21 days of goods delivery
- required documents: reservations obligatorily in writing (sent by mail with the signature of an authorised person or by email with electronic signature); the complainant should prove that the delay in goods delivery caused them damage
- legal basis: Convention on the Contract for the International Carriage of Goods by Road (CMR), Geneva, 1956.

2. DOMESTIC ROAD TRANSPORT

- deadlines for reporting reservations (to the carrier): asap but no later than within 2 months of goods delivery
- required documents: reservations obligatorily in writing (sent by mail with signature of an authorised person or by email with electronic signature); the complainant should prove that the delay in goods delivery caused them damage
- legal basis: Transport Act, Journal of Laws of 1984, No. 53.

IIa

Lack of or damage to goods - apparent damage

1. INTERNATIONAL ROAD TRANSPORT

- deadlines for reporting reservations (to the carrier): immediately during goods reception
- required documents:
 - a) entry in the waybill regarding the condition of goods and type of damage, e.g. 2 pallets out of 33 tilted with damaged foil
 - b) report on the condition of goods and the circumstances in which the damage occurred; should be signed by the driver and the consignee (if the driver is absent during report execution or refuses to sign it, the consignee should obtain signatures of "witnesses", i.e. at least 2 independent persons or an appraiser)
 - c) picture documentation - the pictures should clearly document both the means of transport on which the goods were potentially damaged (visible vehicle number plates) as well as the goods themselves, however, not unloaded, still on the means of transport;
- legal basis: Convention on the Contract for the International Carriage of Goods by Road (CMR), Geneva, 1956.

2. DOMESTIC ROAD TRANSPORT

- deadlines for reporting reservations (to the carrier): immediately during goods reception
- required documents:
 - a)** entry in the waybill regarding the condition of goods and type of damage, e.g. 2 pallets out of 33 tilted with damaged foil
 - b)** report on the condition of goods and the circumstances in which the damage occurred; should be signed by the driver and the consignee (if the driver is absent during report execution or refuses to sign it, the consignee should obtain signatures of “witnesses”, i.e. at least 2 independent persons or an appraiser)
 - c)** picture documentation - the pictures should clearly document both the means of transport on which the goods were potentially damaged (visible vehicle number plates) as well as the goods themselves, however, not unloaded, still on the means of transport;
- legal basis: Transport Act, Journal of Laws of 1984, No. 53.

IIb

Lack of or damage to goods - concealed damage

1. INTERNATIONAL ROAD TRANSPORT

- deadlines for reporting reservations (to the carrier): asap but no later than within 7 days of goods delivery
- required documents:
 - a)** report on the condition of goods and the circumstances in which the damage occurred;
 - b)** picture documentation
- legal basis: Convention on the Contract for the International Carriage of Goods by Road (CMR), Geneva, 1956.

2. DOMESTIC ROAD TRANSPORT

- deadlines for reporting reservations (to the carrier): asap but no later than within 7 days of goods reception
- required documents:
 - a)** report on the condition of goods and the circumstances in which the damage occurred;
 - b)** picture documentation
- legal basis: Transport Act, Journal of Laws of 1984, No. 53.