

National Carrier's Regulations

Country: AUSTRIA

Legal basis	Period of liability	Extent of liability / Limits	Notice of claim after receipt of damaged goods	Limitation period
Post – domestic				
a) Postgesetz (PostG) = Postal Law, compulsory law b) supplemented by Allgemeine Geschäftsbedingungen (AGB) = General Terms and Conditions	a) from receipt until discharge b) from receipt until discharge	a) Ordinary letters: No liability, b) Registered letters: EUR 72,67, c) Ordinary parcels: maximum EUR 510,--, EUR 50,-- for 'Premium Light' parcels d) Sendings with value declared: Up to the amount of the value declared.	a) Damage or partial loss externally apparent: Not later than the following day after the day of delivery (Saturday excluded). b) -Damage or partial loss not externally apparent: Within a period of one week beginning with the next working day (Saturday excluded) following the day of delivery. - Loss: Within a period of six month, beginning with the day following the day of delivery.	3 years, after knowledge of the loss of or damage to the goods
Post - international				
Postpaketabkommen von Genf im Sinne der Satzung des Weltpostvereines = Convention of Geneva regarding sendings by parcelpost according to the provisions of the Universal Postal Union's Convention	from receipt until discharge			
Rail – domestic				
a) Eisenbahnbeförderungsgesetz (EBG) = Railway Traffic Regulations, compulsory law b) supplemented by Allgemeine Geschäftsbedingungen (AGB) = General Terms and Conditions and the Österreichischen Gütertarif (ÖGT) = Austrian Freight Tariff	a) from receipt until discharge b) from receipt until discharge	Commodity exchange price or current market price, failing both the normal value of the goods but - EBG compensation not exceeding 17,-- SDR and - AGB compensation not exceeding EUR 37,-- per kilogram of gross weight of the goods lost or damaged. If a special interest in delivery is declared in the way-bill against payment of a surcharge according to the Österreichische Gütertarif (ÖGT) = Austrian Freight Tariff, liability is extended up to the amount of declared interest. In the event of wilful misconduct or default equivalent to wilful misconduct: unlimited liability.	a) Loss or damage externally apparent: Immediately when taking delivery of goods by the consignee. b) Loss or damage not externally apparent: Not later than 7 days after having taken delivery of goods by the consignee.	In the case of partial loss or damage 1 year commencing from date of delivery, or in the case of total loss 1 year commencing from the 30th day after expiry of the time for delivery. In case of wilful misconduct or default equivalent to wilful misconduct 2 years commencing from the date of delivery.
Rail - international				
Übereinkommen über den internationalen Eisenbahnverkehr (COTIF) mit den einheitlichen Rechtsvorschriften für den Vertrag über die internationale Eisenbahnbeförderung von Gütern (CIM) = Convention concerning international transport by rail (COTIF) and forming part of it the Uniform rules concerning the contract on the international transport of goods by rail (CIM).	from receipt until discharge			
Legal basis	Period of	Extent of liability / Limits	Notice of claim after receipt of	Limitation period

	liability		damaged goods	
Road - domestic				
According to § 439a Unternehmensgesetzbuch (UGB) = Austrian Commercial Code Articles 2-30 and 32-41 of the Convention of the Contract for the international Carriage of Goods by Road (CMR) have been adopted for all transports by truck within Austria; compulsory law.	from receipt until discharge	The value of the goods at the place and time at which they are accepted for carriage; to be fixed according to the commodity exchange price or current market price or failing both the normal value of goods of the same quality. Compensation not to exceed 8,33 SDR per kilogram of gross weight lost or damaged. If a special interest in delivery is declared in the consignment note against payment of a surcharge, liability is extended up to the amount of declared interest.	a) Loss or damage externally apparent: Immediately upon delivery of the goods at place of destination. b) Loss or damage not externally apparent: Not later than 7 days after delivery of the goods at place of destination.	1 year commencing from the date of delivery, in case of wilful misconduct or default equivalent to wilful misconduct 3 years commencing from the date of delivery.
Road - international				
In accordance with Carriage within Austria				
Air freight - domestic				
Luftfahrtgesetz = Aviation Act, compulsory law	from receipt until discharge	In general unlimited liability, in case of ordinary negligence liability is limited to the amount of 17 SDR per kilogram gross weight of the goods lost or damaged.	a) Loss or damage externally apparent: Immediately on delivery but not later than the sixth day following that of delivery. b) Loss or damage not externally apparent: Subject to terms and conditions.	3 years according to the Allgemeines bürgerliches Gesetzbuch (ABGB) = General Civil Code
Air freight – international				
Convention for the Unification of Certain Rules Relating to the International Carriage by Air (Warsaw Convention) as amended by the Protocol done at The Hague on 28, September, 1955 (Hague Protocol), Montreal Convention 1999, compulsory law.	from receipt until discharge			
Courier service				
Individual agreements as per the general terms and conditions of trade.				
Forwarding				
a) Unternehmensgesetzbuch (UGB) = Commercial Code b) Allgemeine Österreichische Spediteurbedingungen (AÖSp) = Austrian Forwarders' Standard Terms and Conditions The provisions of the non compulsory Unternehmensgesetzbuch (UGB) = Commercial Code are in most cases replaced by the Allgemeine Österreichische Spediteurbedingungen (AÖSp) = General Austrian Forwarders' Terms and	a) from receipt until discharge b) from receipt until discharge	- EUR 1,09 per kilogram of gross weight but not exceeding - EUR 1.090,09 anyone occurrence - EUR 7.267,28 for misappropriation or embezzlement	a) Loss or damage externally apparent: Immediately upon delivery of the goods. b) Loss or damage not externally apparent: Immediately upon discovery but not later than six days after delivery of the goods.	Six month commencing from the date the claimant is aware to be entitled to the claim but latest upon delivery of the goods.

Legal basis	Period of liability	Extent of liability / Limits	Notice of claim after receipt of damaged goods	Limitation period
<p>Conditions.</p> <p>The AÖSp are governed by the principle of substitution of forwarder's liability by insurance. That means that under the AÖSp the forwarder is obliged, unless expressly forbidden by the principal, to take out at the principal's expense a forwarders' risk insurance, which must at least meet the requirements of the Speditions- und Rollführversicherungsschein (SVS/RVS) = Forwarder's Risk and Cartage Insurance Policy.</p>				
Sea				
<p>a) Unternehmensgesetzbuch (UGB) = Commercial Code: compulsory law</p> <p>b) supplemented by Hamburger Regeln = Hamburg Rules</p>	<p>a) from receipt until discharge</p> <p>b) from port to port</p>	<p>Liability is limited to an amount equivalent to 835 SDR per package or other shipping unit or 2,5 SDR per kilogram of gross weight, whichever is the higher.</p>	<p>a) Loss or damage externally apparent: Not later than the working day after the day of delivery to the consignee.</p> <p>b) Loss or damage not externally apparent: Not later than 15 days after the day of delivery to the consignee.</p>	<p>2 years, commencing from the date of delivery or from the last day the goods should have been delivered.</p>
Inland shipping (Danube)				
<p>a) Unternehmensgesetzbuch (UGB) = Commercial Code</p> <p>b) supplemented by Binnenschiffahrtsgesetz (BinnSchG) = Inland Waterways Act</p>	<p>a) from receipt until discharge</p> <p>b) from receipt until discharge</p>			