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# **Procedure for**



handling transport  
complaints

## TYPES OF TRANSPORT COMPLAINTS:

I) relating to delays in the delivery of goods

II) relating to the lack of or damage to goods

a) **apparent damage** – missing items or damage **visible** during the reception of goods

b) **concealed damage** – missing items or damage **not visible** during the reception of goods, e.g. soaking

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## I. DELAYS IN THE DELIVERY OF GOODS

### 1. International road transport

- **deadlines for reporting reservations (to the carrier):** as soon as possible, but no later than within 21 days of the delivery of goods
- **required documents:** reservations must be submitted in writing (sent by mail with the signature of an authorised person or by email with an electronic signature); the complainant should prove that the delay in the delivery of goods 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):** as soon as possible, but no later than within 2 months of the delivery of goods
- **required documents:** reservations must be submitted in writing (sent by mail with signature of an authorised person or by email with an electronic signature); the complainant should prove that the delay in the delivery of goods caused them damage
- **legal basis:** Transport Act, Journal of Laws of 1984, No. 53.

## IIa. THE LACK OF OR DAMAGE TO GOODS – APPARENT DAMAGE

### 1. International road transport

- **deadlines for reporting reservations (to the carrier):** immediately during the reception of goods
- **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 the preparation of the report 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 (with 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 the reception of goods
- **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 preparation 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 (with visible vehicle number plates) as well as the goods themselves, however, still loaded, on the means of transport
- **legal basis:** Transport Act, Journal of Laws of 1984, No. 53.

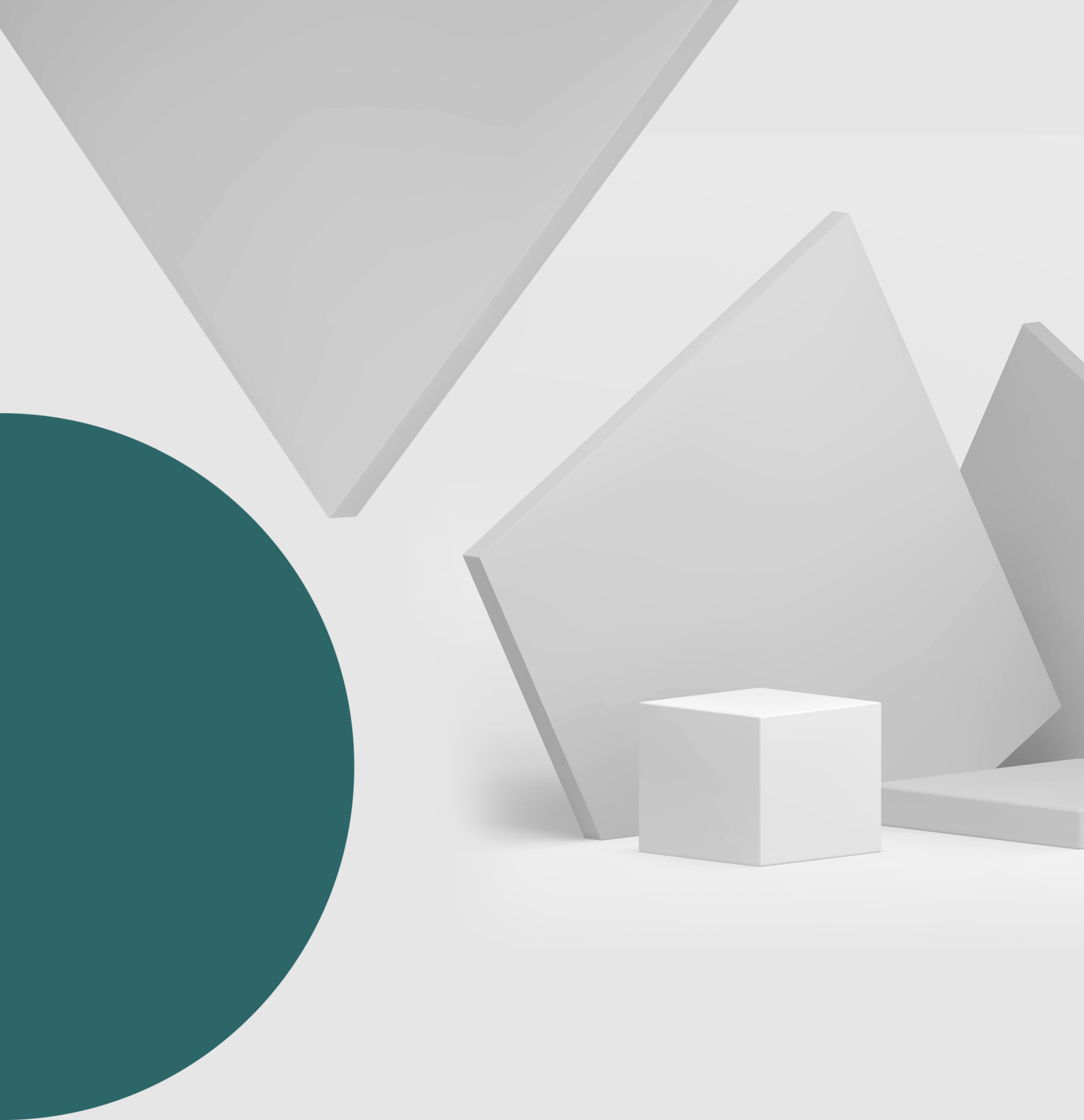
## **IIb. THE LACK OF OR DAMAGE TO GOODS – CONCEALED DAMAGE**

### **1. International road transport**

- **deadlines for reporting reservations (to the carrier):**  
as soon as possible, but no later than within 7 days of the delivery of goods
- **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):**  
as soon as possible, but no later than within 7 days of the reception of goods
- **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.



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