

# Multimodal carriage under SMGS

Anastasia ALEKSANDROVSKAYA  
(JSC „RZD”)

# **A G R E E M E N T ON INTERNATIONAL RAILWAY FREIGHT COMMUNICATIONS (SMGS)**

**Applicable from 1 November 1951  
with amendments and supplements as of  
01.07.2019**



# Article 1

## Object of the Agreement

This Agreement shall establish direct international railway communications for freight transport between the railways of the following countries

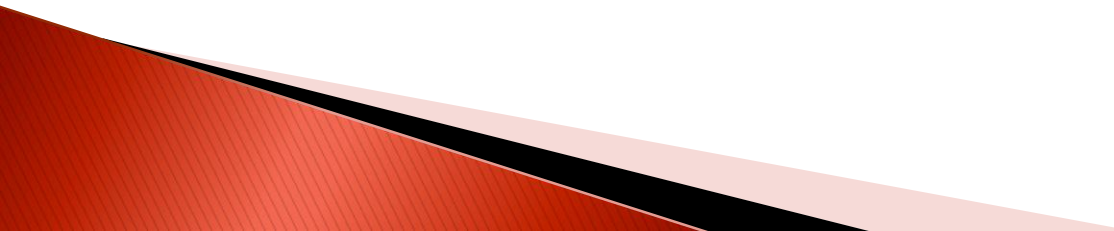
## Parties to the Agreement

Republic of Albania;  
Republic of Azerbaijan;  
Republic of Belarus;  
Republic of Bulgaria;  
People's Republic of China;  
Republic of Estonia;  
Georgia;  
Hungary;  
Islamic Republic of Afghanistan,  
Islamic Republic of Iran;  
Republic of Kazakhstan;  
Democratic People's Republic of Korea;  
Kyrgyz Republic;  
Republic of Latvia;  
Republic of Lithuania;  
Republic of Moldova;  
Mongolia;  
Republic of Poland;  
Russian Federation;  
Slovakian Republic;  
Republic of Tajikistan;  
Turkmenistan;  
Ukraine;  
Republic of Uzbekistan;  
Socialist Republic of Vietnam.

# Article 2

## Definitions

For the purposes of this Agreement, the following terms shall be defined as set out below:

- ▶ **Road vehicle** – a laden motor vehicle, road train or trailer or an unladen motor vehicle, road train or trailer, before or after use for the carriage of goods by rail;
  - ▶ **Goods** – commodities, products, wagons as transport means not belonging to the carrier and other physical objects accepted for carriage with the contract of carriage;
  - ▶ **Intermodal transport unit (ITU)** – container, swap body or semi-trailer intended for the carriage of goods by two or more modes of transport without transshipment of the goods during the change of transport mode;
  - ▶ **Carriage of goods in international through railway traffic** – carriage of goods by rail on the territory of two or more States under a single document (consignment note) issued for the whole route;
  - ▶ **Carriage of goods in international through railway–ferry traffic** – carriage of goods in international through railway traffic assisted by waterway transport provided that the cargo travels in a wagon or on its own axles from the departure station to the destination station;
- 

# Article 3

## Application of the Agreement

- ▶ 1. This Agreement shall establish a common legal basis for contracts for the carriage of goods in international *through railway traffic* and international *through railway-ferry traffic*.
- ▶ 2. The carriage of goods in international through railway traffic shall take place *between stations* that are open for freight operations in accordance with the national law of the Parties, and in international through railway-ferry traffic, *including a waterway section* of the route which the Parties have declared open for such carriage.

# Article 8

## Rules governing the carriage of goods

- ▶ 1. The procedure for applying the terms of this Agreement and special conditions for the carriage of various types of goods shall be determined by the *Rules for the Carriage of Goods* (See Annex 1 to this Agreement).
- ▶ 2. The Rules for the Carriage of Goods shall set out detailed standard solutions and procedures ensuring uniform interpretation and application of the Articles of this Agreement.

### *RULES FOR TRANSPORTATION OF GOODS*

#### **Consignments**

Goods are accepted for carriage under a single consignment note from one consignor at the departure station to one consignee at the destination station;

#### **A single consignment is accepted as follows:**

Goods loaded onto wagon/coupled wagons, if they require a separate wagon or multiple wagons permanently coupled together (coupled wagons);

Goods loaded onto ITUs (Intermodal Transport Units) or road vehicles, as well as empty ITUs or empty road vehicles.

#### **Containers**

Containers intended for carriage of goods shall comply with international agreements, standards and technical regulations that describe their characteristics and conditions of acceptance for international carriage with the use of rail transport.

#### **Road vehicles**

The term "road vehicle" is applied to:

Road train – a towing truck coupled with semi-trailer or motor vehicle coupled with trailer;

Motor vehicle – a vehicle with stationary enclosed body;

Trailer – a transport unit containing an enclosed body with two chassis and is coupled to the towing vehicle with a tow hitch.

#### **Intermodal transport units (except for containers)**

The ITU (except for containers) refers to:

Swap body – a transport unit containing fittings and special devices for handling by the loading facilities;

Semi-trailer – a transport unit containing an enclosed body on chassis.

# Article 20

## Sealing

Serviceable seals affixed to wagons, ITUs or road vehicles in third States shall be deemed equivalent to seals affixed in accordance with SMGS.

# Article 24

## Goods delivery period

Save where otherwise agreed by the consignor and the carrier, the delivery period shall be determined for the whole of the route followed by the goods and must not exceed the period calculated on the basis of the rates established in Article 24.

The goods delivery period shall increase by two days for the carriage of goods in international through railway–ferry traffic.



# Article 12

## Network Information Manual (Annex 5 to SMGS)

- ✓ The network information Manual contains information regarding *railway infrastructure* and *waterways sections* of the route used during the carriage of goods in compliance with conditions established by SMGS, also data concerning carriers involved in such carriage.
- ✓ The information included in the Manual is reliable and open to the public.
- ✓ Any changes and amendments concerning data to be included in the Manual can be carried out at the request of the Parties to SMGS. Each Party can submit a request to the OSJD-Committee for amendments and changes concerning railway *infrastructure of its State*, *waterways sections of route* and carriers licensed in its State for transport in international railway traffic.
- ✓ The OSJD-Committee places the information about the changes and amendments to the Manual on the web site of OSJD.



# **Network Information Manual (Annex 5 to SMGS)**

## **Information on waterways used in the rail ferry traffic**

Country-by-country connection

Waterway section

Name of the stations

Carrier on waterway section

Delivery period on waterway section

## **Information on the carriers participating in the international railway traffic under the SMGS transport regime**

Names of the carriers

Codes of the carriers

Railway sections/waterways which are used by them for the carriage of goods (on a country-by-country basis).



# Article 39

## Limits of a carrier's liability

In international through railway–ferry traffic, the carrier shall also be released from liability for loss or shortage of, damage to (spoilage of), or exceeding the delivery period for goods accepted for carriage if the loss, shortage, damage (spoilage) or exceedance of the goods delivery period occurred as a result of:

- a fire, if the carrier proves that the fire did not occur through its fault or through the fault of other persons whose services it uses to execute the contract of carriage, when these other persons were performing their duties;
- lifesaving measures or reasonable measures to save property;
- a hazard, danger or accidents

The carrier may refer to these reasons for release from liability only if it proves that the loss or shortage of, damage to (spoilage of), or exceedance of the delivery period of goods took place on the waterway section of the route during the period from commencement of the loading of the goods (loading the container with goods) in a wagon for waterway transport and before its unloading from the waterway transport.

**Thank you for your attention**