



International Rail Transport Committee
Comité international des transports ferroviaires
Internationales Eisenbahntransportkomitee

General legal requirements for use of the CIM/SMGS consignment note

Joint Workshop CIT | OSJD | TRACECA | UIC

Session 1

16 June 2022, Online


Summary



- Context of international CIM/SMGS carriages



- Legal background

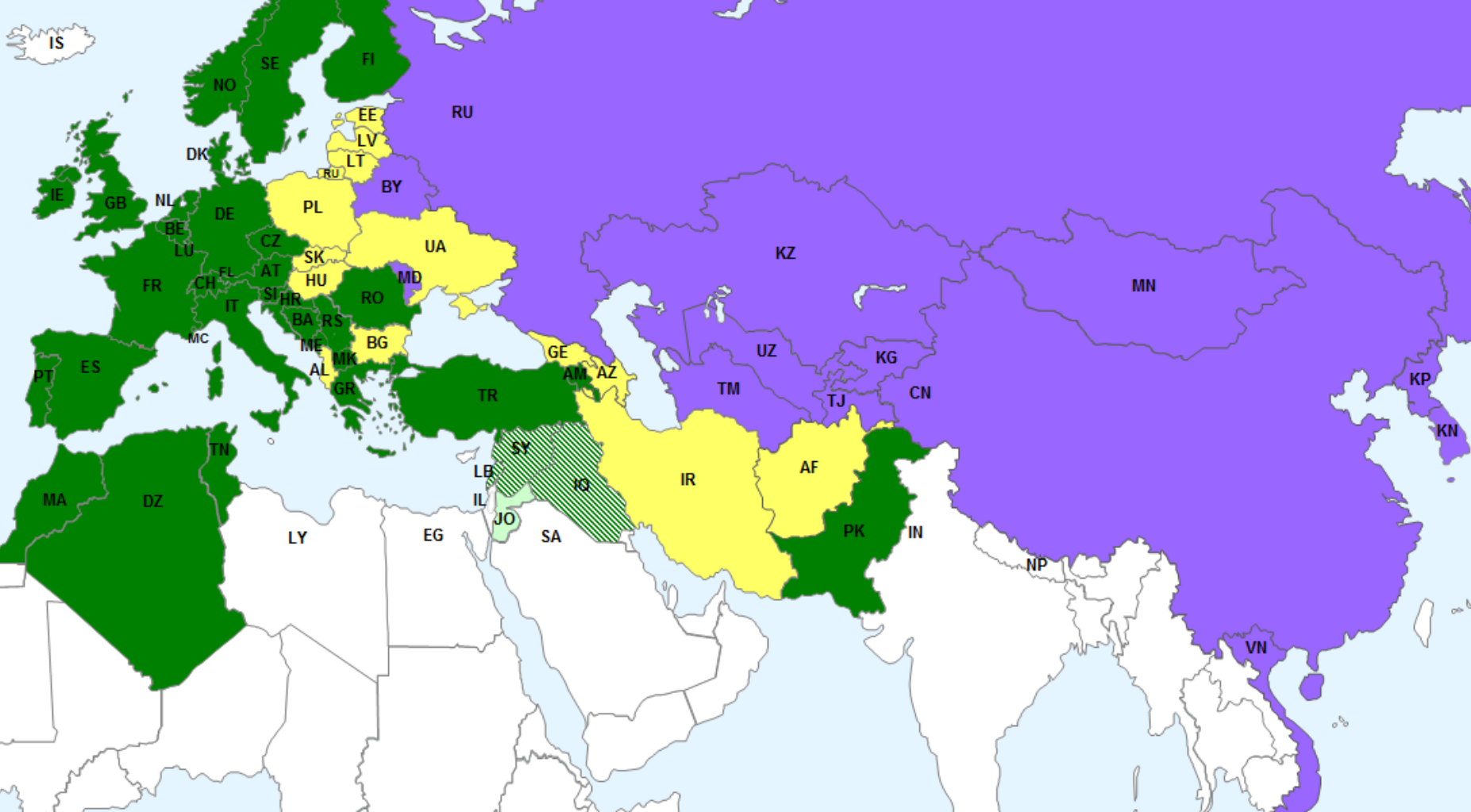


- Tools available to facilitate these carriages: Paper Consignment Note and Electronic Consignment Note



- Practical use

Scope of application of CIM and SMGS: Legal Duality



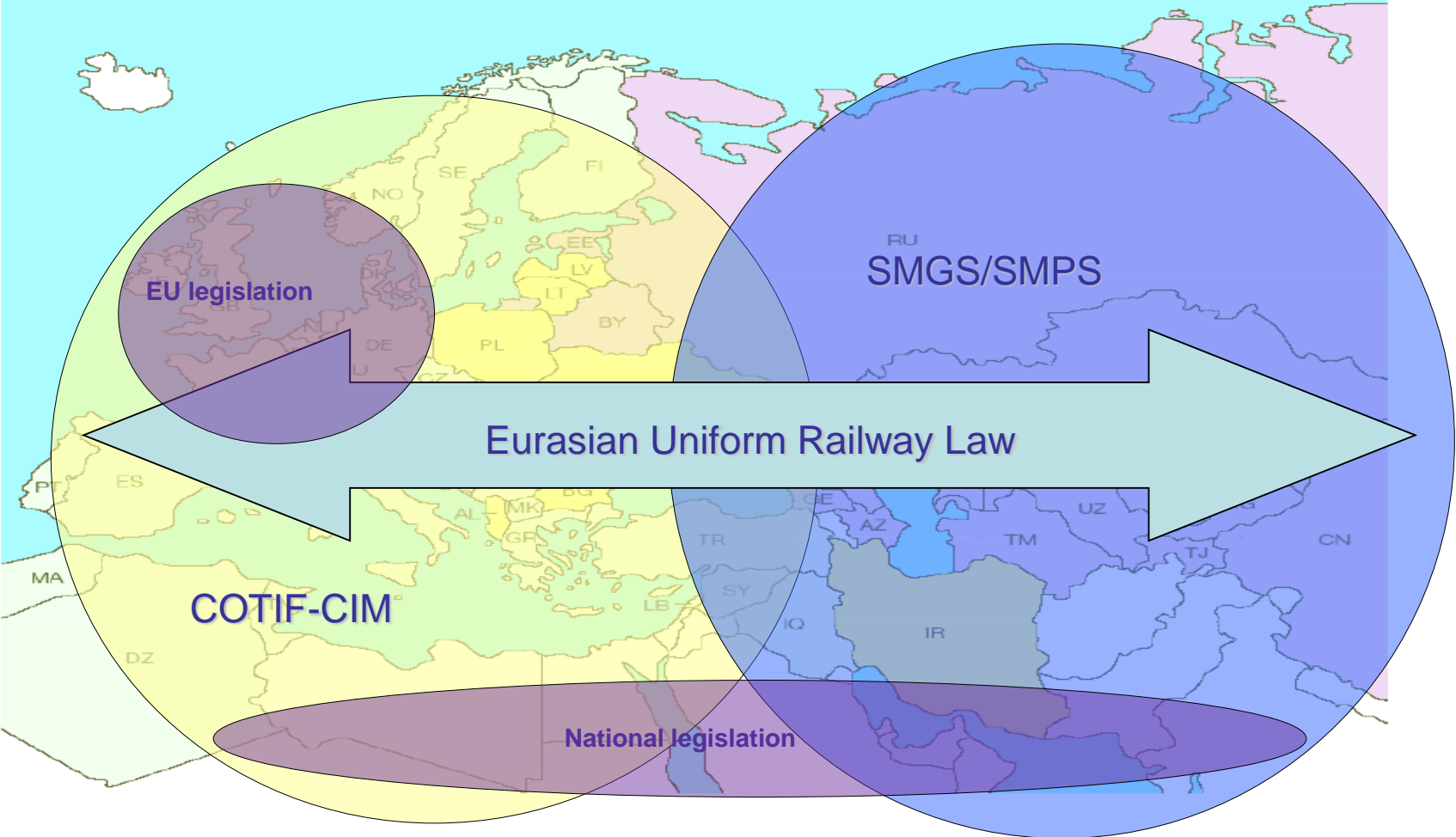
SMGS
 CIM + SMGS
 Associate Member



CIM
 Membership suspended

Situation 1 May 2021

The context – Necessity to overcome the differing statutory regimes



CIT Solutions: Common consignment note CIM/SMGS: a common project of the CIT and OSJD

Implements both contracts of carriage

Recognised as a customs and bank document

Does not undermine the CIM/SMGS liability conditions

The “sum” of the CIM and SMGS consignment notes

Based on:

- Article 6 § 8 CIM + Article 13 and Annex 6 SMGS
- Layout based on the United Nations Layout
- Key for trade documents

The image shows a complex form titled "CIM/SMGS Consignment Note". It is divided into several main sections:

- Sender information:** Includes fields for name, address, telephone, and fax.
- Receiver information:** Includes fields for name, address, telephone, and fax.
- Goods description:** Includes fields for description, weight, volume, and other characteristics.
- Carriage information:** Includes fields for origin, destination, and other carriage details.
- Signatures:** Includes fields for the sender's and receiver's signatures and dates.
- Key for trade documents:** A section at the bottom with checkboxes for various document types like "Invoice", "Packing list", etc.

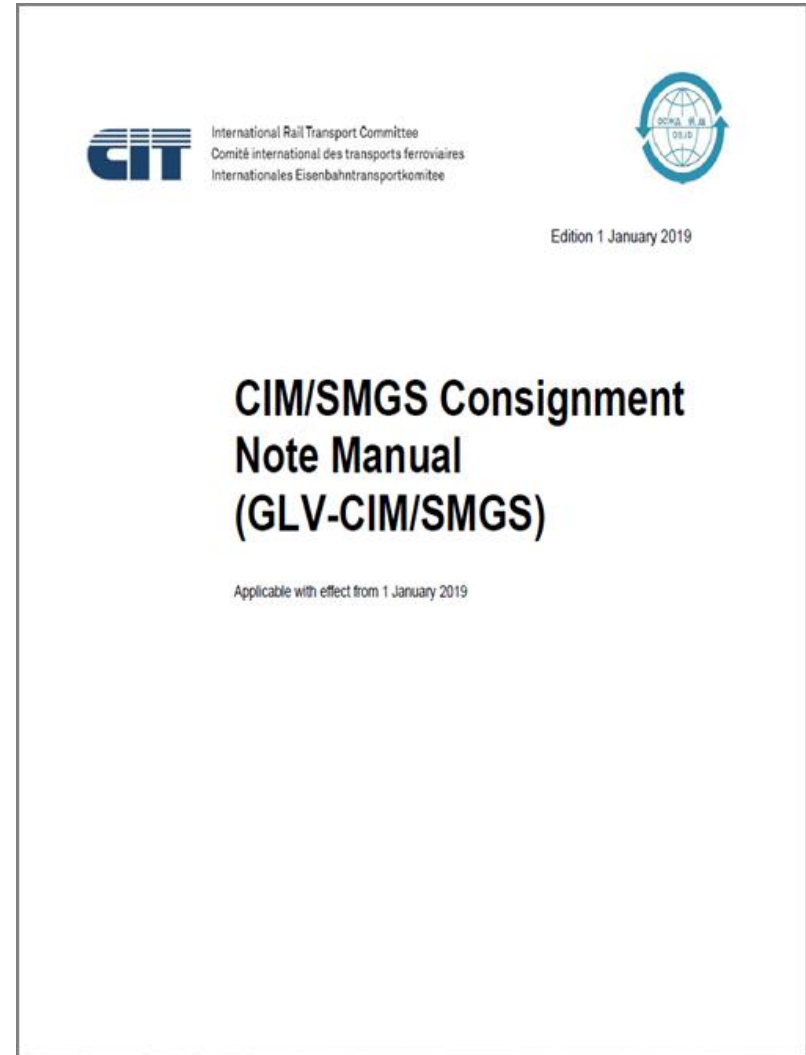
 The form is filled with some data, and there are various checkboxes and fields for additional information. The layout is structured and professional, typical of a trade document form.

GLV-CIM/SMGS - Content

- A. General provisions
- B. Common Provisions for paper and electronic consignment notes
- C. Paper consignment note
- D. Electronic consignment note
- E. Final provisions

Appendices

- 1 List of members applying the manual
- 2 Explanatory notes on the content of the CIM/SMGS consignment note
- 3 List of reconsignment points
- 4 List of the addresses of departments to which applications for authorisation are to be sent
- 5 Specimen of the CIM/SMGS consignment note
- 6 Packaging requirements
- 7 CIM/SMGS wagon/container list
- 8 CIM/SMGS formal report
- 9 List of addresses of the departments competent for the handling of claims



GLV-CIM/SMGS – General provisions

Character of the document

- Domain CIM: Manual – Recommendation character
- Domain SMGS: Appendix 6 to SMGS – Mandatory document

Purpose of the manual (point 3)

- CIM/SMGS carriages under a single consignment note
- Alternative to the traditional system with re-writing the consignment note at the reconsignment point

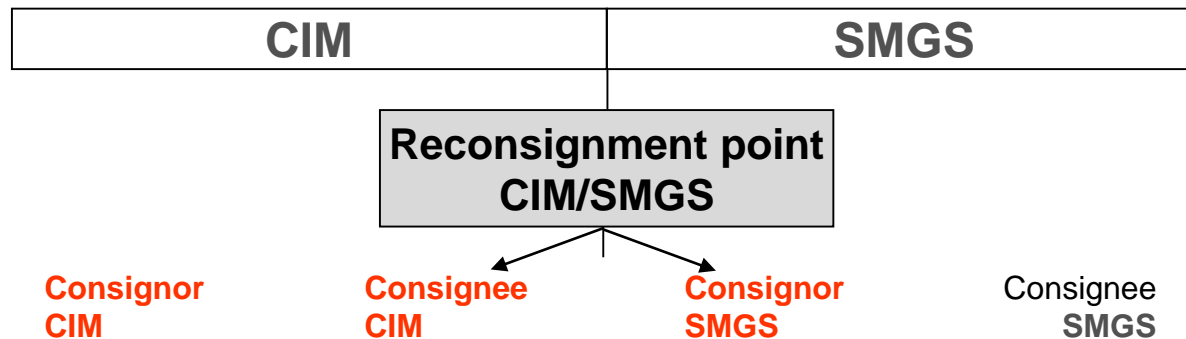
Scope (point 4)

- Consignment subject to the CIM Uniform Rules and to the SMGS, consigned for carriage with a CIM/SMGS consignment note, carried by carriers listed in Appendix 1 and kept in the custody of one of this carriers at the reconsignment point
- Domain CIM: application to be agreed between the customer and the carrier as well as between the carriers themselves.
- Domain SMGS : application in the traffic axes defined by the participants to the SMGS and applying the manual.

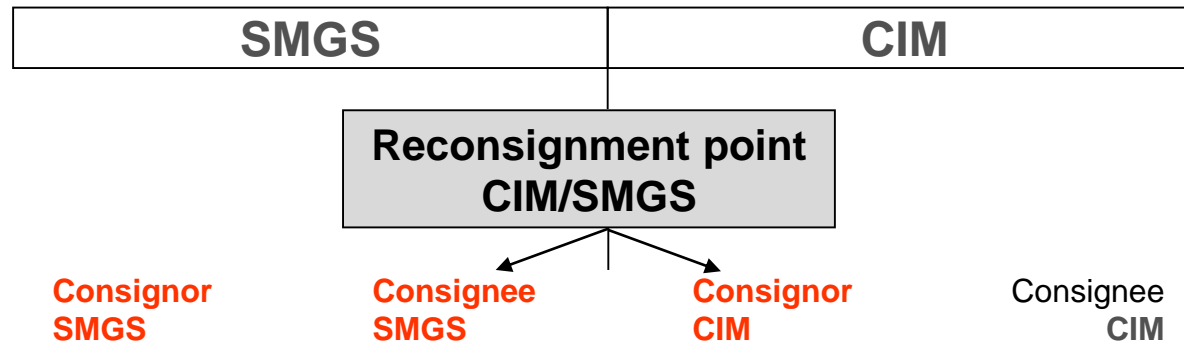
GLV-CIM/SMGS – Common provisions for paper and electronic consignment notes

Parties to the contract (point 10)

Example A: Traffic CIM → SMGS



Example B: Traffic SMGS → CIM



GLV-CIM/SMGS – Paper consignment note

CIM/SMGS consignment note (appendix 5 GLV-CIM/SMGS)

- ✔ Materialises both contracts of carriage
- ✔ Recognised as customs transit document and as bank document
- ✔ Does not affect the CIM/SMGS liability rules
- ✔ Combines the CIM and the SMGS consignment note
- Basis: United Nations layout key for trade documents
- Front page: common boxes CIM/SMGS + boxes CIM
- Back page: boxes SMGS
- IT-software for its issuing

The image shows a complex, multi-sectioned form for a GLV-CIM/SMGS consignment note. The form is divided into several numbered sections (1 through 10) and includes various fields for data entry. At the top, there are checkboxes for 'Document électronique' and 'Document électronique'. The form includes fields for 'Nom et adresse du destinataire', 'Nom et adresse de l'expéditeur', 'Description des marchandises', 'Date de départ', 'Date d'arrivée', and 'Lieu de destination'. There are also sections for 'Conditions de transport' and 'Conditions de livraison'. The form is designed to be filled out by the sender and receiver, providing a standardized way to document the carriage of goods.

Common CIM/SMGS consignment note: Practical Use

- for east west rail freight traffic
- on the Eurasian land bridge
- **85% Container transportation**
- **18% Single wagon load**
- **.30 Min pro Wagon**
- further facilitations (wagon and container list, formal report and formal procedure, etc.)
- further legal harmonisation

The image shows a complex, multi-sectioned form titled 'CIM/SMGS Consignment Note'. The form is divided into several numbered sections (1-10) and contains numerous fields for data entry, including sender and receiver details, wagon information, and transport conditions. The form is presented in a grid-like layout with various checkboxes and input fields.

GLV-CIM/SMGS – Electronic consignment note

CIM – Principle of functional equivalence (point 21)

SMGS – Principle of agreement between the railways, consignor and consignee (point 22)

EDI agreement (point 23)

Recommendations

- Functional and legal specifications for the electronic CIM/SMGS consignment note
- Technical specifications for the electronic CIM/SMGS consignment note

Functional, legal and technical specifications for the electronic CIM/SMGS Consignment Note

Available to CIT and OSJD members from **1 July 2019** in English, French, German, Russian and Chinese*

(*OSJD Website).

Next step: organisation of **pilot transport** with electronic consignment note CIM/SMGS
Possible partners - DB Cargo and RZD



Important questions:

- exchange of information with the customs authorities and the scope of this information
- electronic use of accompanying documents (container and wagon note, formal report etc)

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