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**SURVEY ON RULES CONCERNING
ELECTRONIC RAILWAY TRANSPORT DOCUMENTS[[1]](#footnote-1)**

**Consultation period**: 11 May 2022 – 6 July 2022

**Objective**: to gather information on the national law that is applicable to electronic rail transport documents and on use of the electronic rail transport document in national and international rail transport.

**Background information:** LAW-22031-JUR 2/11 ‘The digitalisation of international transport, particularly freight transport documents. Preliminary inception paper’

**Target group**: OTIF members and all interested stakeholders affected by the CIM UR or with a legitimate interest in them.

**Confidentiality**: it is not the aim of the survey to collect any confidential information. Respondents and their replies will be summarised in a report. However, respondents may request that their responses remain anonymous, in which case only the category of the respondent will be shown in the report.

**Responses:** must be sent to law@otif.org by 6 July 2022.

**Report:** results of the survey questionnaire will be reported to the ad hoc Committee on Legal Affairs and International Cooperation.

Please contact OTIF’s Legal Department if you need any clarification with regard to the questionnaire.

**1. Please provide your contact details and indicate which entity you represent:**

Title:[ ]  Mr [ ]  Ms

Surname: enter text.

First name: enter text.

Official role: enter text.

E-mail: enter text.

[ ]  State Authority (which): enter text.

[ ]  Regional Organisation (which): enter text.

[ ]  International Organisation (which): enter text.

[ ]  International Association (which): enter text.

[ ]  Carrier (which): enter text.

[ ]  Academia (which): enter text.

[ ]  Other (specify): enter text.

**2. Which forms of transport documents for the carriage of goods by rail are prescribed by your national law:**

[ ]  Paper form

[ ]  Electronic form

[ ]  No particular form is prescribed

**3. Does your national law lay down conditions for the validity of electronic transport documents for the carriage of goods by rail?**

[ ]  Yes, *specific* rules for electronic transport documents are defined. Please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  Yes, *general* rules for electronic documents are applicable. Please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  No, please provide details: enter text.

**4. Does your national law prescribe methods to authenticate electronic transport documents (e.g. electronic signature) for the carriage of goods by rail?**

[ ]  Yes, *specific* rules for electronic transport documents are defined. Please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  Yes, *general* rules for electronic documents are applicable. Please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  No, please provide details: enter text.

**5. Does your national law prescribe specific requirements to ensure the integrity of the electronic transport document for the carriage of goods by rail?**

[ ]  Yes, *specific* rules for electronic transport documents are defined. Please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  Yes, *general* rules for electronic documents are applicable. Please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  No, please provide details: enter text.

**6. Does your national law prescribe specific procedures for supplementing or amending the electronic transport document?**

[ ]  Yes, *specific* rules for electronic transport documents are defined. Please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  Yes, *general* rules for electronic documents are applicable. Please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  No, please provide details: enter text.

**7. Are electronic transport documents admitted as evidence of the existence and conditions of the contract of carriage by courts.**

[ ]  Yes, please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  No, please provide details: enter text.

**8. Does your national law contain provisions concerning the acceptance by authorities of electronic transport documents for the purpose of performing tasks under public law (e.g. customs)?**

[ ]  Yes, please provide a reference to relevant provisions and a summary of them: enter text.

[ ]  No, please provide details: enter text.

**9. Please provide information about the use of different forms of transport documents in national rail transport in/by** name of State or carrier**:**

[ ] Paper transport document onlypercentage: enter text.

[ ]  Electronic transport document only
percentage: enter text.

[ ]  Electronic and paper transport documents in parallel
percentage: enter text.

**10. Please provide information about the use of different forms of transport documents in international transport in/by** name of States or carrier**:**

[ ] Paper transport document onlypercentage: enter text.

[ ]  Electronic transport documents only
percentage: enter text.

[ ]  Electronic and paper transport documents in parallel
percentage: enter text.

 **11. Please indicate what the obstacles are to using electronic transport documents under the CIM UR:** enter text.

**12. Please indicate what measures OTIF should take to promote and facilitate the use of electronic CIM consignment notes:** enter text.

**13. Please provide references to any relevant research, studies or other information on the subject that should be taken into account by OTIF:** enter text.

1. Transport documents may be described by the following core functions:

1) evidence of the receipt of goods and their condition;

2) evidence of the terms of a contract of carriage;

3) document of title to the goods, which provides constructive possession of goods (supplementary function). [↑](#footnote-ref-1)