

中華民國鐵路貨車運輸負責通則

CHINESE RAILWAYS



GENERAL REGULATIONS
RELATING TO
CARRIAGE OF GOODS

AT RAILWAY RISK
BY GOODS TRAINS



NOTE:—These Regulations are Supplementary to the
General Regulations Relating to Carriage
of Goods by Goods Trains.



中華民國鐵路貨車運輸負責通則

目 錄

	頁數
第一節 總綱	一
第二節 負責運價	二
第三節 託運裝載及交貨手續	二
第四節 鐵路責任	五
第五節 賠償手續	一一

INDEX

	Page
I. General.....	1
II. Rates for Goods Conveyed at Railway Risk.....	2
III. Consignment, Conveyance and Delivery of Goods.....	2
IV. Responsibility of Railways.....	5
V. Claims Procedure.....	11

國民政府鐵道部核定
中華民國鐵路貨車運輸負責通則

中華民國十九年七月一日實行

第一節 總綱

第一條 中華民國鐵路貨車運輸負責概依本通則施行之

本通則內未經規定者應照貨車運輸通則及各路貨車運輸附則辦理
本通則自實行之日起所有從前貨車運輸負責章程一概作廢

GENERAL REGULATIONS RELATING TO CARRIAGE OF GOODS

AT RAILWAY RISK BY GOODS TRAINS.

I. GENERAL.

1.—The following Regulations apply to Carriage of Goods at Railway Risk by Goods Trains on the Chinese Railways. Other conditions not herein provided for shall be governed by the General Regulations relating to Carriage of Goods by Goods Trains and the Sub-Rules of the different lines. 竣

These Regulations are in force from the date of promulgation, and cancel all previous Regulations on the subject of conveyance of goods at Railway Risk by goods trains.

第二節 負責運價

第二條 凡運輸貨物由鐵路負責者照普通運價加收一成其所需篷布繩索得免收租費

第三節 託運裝載及交貨手續

第三條 凡貨物託由鐵路負責運送者無論何時鐵路如無相當地位堪以容納得拒絕接收

第四條 凡貨物託由鐵路負責運送者須填用負責寄貨聲明書並須在貨物收據上註明

II. RATES FOR GOODS CONVEYED AT RAILWAY RISK.

2.—Goods consigned and conveyed at Railway Risk shall be charged the ordinary rates as provided for the class of goods conveyed plus a surcharge of 10% of these rates.

No charge shall be made for the use of tarpaulins and ropes to cover or secure goods conveyed at Railway Risk.

III. CONSIGNMENT, CONVEYANCE AND DELIVERY OF GOODS.

3.—In the case of goods tendered for conveyance at Railway Risk, the Railways reserve the right to refuse acceptance of goods at any time, if proper accommodation is not available for them.

4.—Goods intended for conveyance at Railway Risk must be entered on the Railway Risk Consignor's Note. The

鐵路負責字樣站長或貨物司事須對照報運單內列各項查驗貨物如果相符得出具鐵路負責貨物收據

第五條 貨物包裝及封固 凡包裹箱桶籃袋以及用其他方法收裝者俱應堅固包裝或封鎖以防中途遺失損壞之虞如不按照上項規定辦理鐵路只按貨主負責之貨物承運

第六條 易破壞之貨物 凡包件箱籃桶及用其他方法收裝者如裝有容易損壞之貨物應註明於寄貨聲明書內並須於貨物外端四面標明「易破」字樣

Goods Receipt issued for such will be endorsed "Railway Risk." Station Masters and Goods Clerks must examine the goods and, if found in accordance with the particulars contained in the Consignor's Note, will accept them and issue the Goods Receipt to the consignor.

5.—Packing and Securing of Goods:—All packages, cases, barrels, drums, crates, bags or other receptacles must be securely packed and locked or sealed to prevent damage, loss, etc., in transit otherwise they will only be accepted for conveyance at Owner's Risk.

6.—Fragile Goods:—All packages, cases, crates or other receptacles containing fragile goods must be fully stated in the Consignor's Note and be plainly labelled or marked "Fragile" on all their sides.

第七條 凡託運貨物分爲數件其中部份有損壞或包裝不堅固者鐵路得斟酌情形將全部貨物或將損壞之部份按貨主負責運送之

第八條 出具運輸負責收據 凡貨物託由鐵路負責運送者寄貨人須按本通則所規定者完全履行後鐵路方能出具運輸負責收據

第九條 (甲)收貨人請求檢查貨物 凡貨物由路負責運送到站交貨時收貨人得請求檢查貨物在中途有無遺失或損壞此項檢查鐵路不另收費

7.—In cases where several packages are consigned and only a certain number are in a damaged condition or insecurely packed, the Railways will exercise the option of carrying the whole consignment, or the damaged portion only, at Owner's Risk.

8.—Issue of Railway Risk Goods Receipt Notes:—Receipt Notes for goods conveyed at Railway Risk will not be issued until the conditions as laid down in these Regulations are fully complied with.

9.—(a) Examination of Goods Requested by Consignees:—At the time of delivery of goods conveyed at Railway Risk the consignee may have the right to ask the Railway to examine his goods free of charge as to any loss or damage that might be incurred during transit.

(乙)收貨人拒絕收受之貨物 凡收貨人無論因何故如不肯收受貨物鐵路得將貨物暫存貨棧並核收普通保管費但須由貨主負責或由鐵路決定將貨物當衆拍賣或用其他方法處理之

第十條 凡負責運送貨物概不得由寄貨人隨車押運

第四節 鐵路責任

第十一條 鐵路負責限制 凡鐵路負責貨物有遺失或損壞情事鐵路負責之限制以該貨物在起運站之時價爲標準再加

(b) **Goods Refused by Consignees:**—In case the consignee should refuse to take delivery owing to any cause the Railway shall store the goods at the Owner's Risk at the ordinary storage charges, or, at the Railway's discretion, the goods may be sold or otherwise disposed of.

10.—**Watchman:**—In the case of goods conveyed at Railway Risk no watchman shall be permitted to travel in the car for escorting the goods.

IV. RESPONSIBILITY OF RAILWAYS.

11.—**Liability of Railways:**—In the event of loss of, or damage to goods conveyed at Railway Risk, the liability of the Railways will be decided on the basis of the current market value of the goods at the despatching station, plus transport charges and taxes, if any, incurred in transit, but in no case

所有已付之運價及關稅但此項時價不得超過寄貨聲明書內填明之數目惟寄貨聲明書內雖經填明價值然其實價仍須由請求賠償者證明之

第十二條 鐵路負責時間 凡存置鐵路地界之貨物未經鐵路派定員司或經理人檢查收納填給運輸負責收據者鐵路不負遺失損壞之責任

負責期限由鐵路照上項辦法驗收貨物之時起至將貨交到收貨人爲止或以該貨物運抵到達站後六小時爲限

shall the current value be considered more than that declared on the Consignor's Note. The burden of proving the current value of the goods shall, notwithstanding the value declared on the Consignor's Note, rest on the person making the claim.

12.—*Period of Responsibility of Railways:*—The Railways will not undertake responsibility for loss of, injury or damage to goods brought on the railway premises unless they have been examined and accepted and a Railway Risk Goods Receipt Note has been issued for the same by a duly authorized employee or agent of the Railways.

The responsibility of the Railways begins when the goods are examined and accepted as above and terminates on delivery of the goods to the Consignee or after expiry of six working hours from the time the goods are placed for delivery at the destination station.

第十三條 貨物受意外之遺失損壞 凡貨物之遺失損壞其原因爲左列各項之一者鐵路概不負責

(甲)貨物損失屬於天災事變及其他意外情事非人力所能抵抗者

(乙)凡包件內裝有數種易於破壞物品而致彼此碰壞或傷損者

(丙)凡易於破裂物品因包裝不固致受傷損破裂者

13.—Loss of, or Damage to Goods Caused by Extraordinary Causes:—The Railways will not be responsible for loss of, or damage to goods conveyed at Railway Risk due to the following causes:—

- (a) Loss or damage arising from Act of God, *Force Majeure* and similar accidents, arising from conditions outside the control of the Railways.
- (b) Damage done to packages which may contain a variety of articles liable to break or damage each other or other articles.
- (c) Breakage of, or damage to fragile goods when the cause arises from improper packing.

(丁)凡因桶瓶篋或桶罐之釘口不堅
節頭不固而致漏洩或水氣蒸化
發酵腐朽貨物因此遺失損壞或
低減價值重量者

(戊)凡因貨物具有燃燒性質自然燒
損者

(己)凡因寄貨人或收貨人自己之疏
忽遺忘而致貨物損失者

(庚)凡貨物在自用岔道內自行裝卸
而致損失者

(辛)凡託運貨物不按實情聲明而受
損失者

(d) Leakage arising from bad casks, jars, oil baskets, defective joints in tins or drums, or fermentation of loss of weight and/or value due to leakage or evaporation of moisture.

(e) Damage to combustible goods caused by spontaneous combustion.

(f) Loss of, or damage to goods due to neglect, or omission on the part of consignors or consignees.

(g) Loss of, or damage to goods during loading and unloading at private sidings when the work is not performed by the Railways.

(h) Loss of, or damage to goods falsely declared.

(壬) 凡因種種原因貨車遲誤時間而致貨物低減其時價者

(癸) 凡貨物因稅關釐卡扣留而致損失者

第十四條 凡貨物由廠車裝運而遇雨雪狂風暴雨或其他氣候之關係而致遺失損壞者鐵路暫不負責

第十五條 貨主負責之貨物 凡左列各項概由貨主自負其責

(甲) 凡貨物按照貨主與鐵路所定減價特約載運者

(i) Loss of market due to delay to trains from whatever cause arising.

(j) Loss of, or damage to goods arising from detention or examination by Customs or Likin Authorities.

14.—*Loss of or Damage to Goods Transported in Open Cars:*—
The Railways temporarily will not assume any risk for loss or damage due to rain, snow, storm, gale or other adverse atmospheric condition, incurred by goods transported in open cars.

15.—*Goods Conveyed at Owner's Risk Only:*—The following goods will be conveyed at Owner's Risk only:—

(a) Goods carried at reduced rates under special contract between the owner and the Railways.

(乙) 凡空箱空桶空袋空包等外面註明「空件運回」字樣者

(丙) 牲畜

(丁) 炸藥及其他危險物在貨車運輸通則內載明者

(戊) 靈柩

(己) 銀錠金銀條銀行鈔票有價證券等項

(庚) 一切容易腐爛之貨物如肉鮮魚鮮果冰菜蔬已死之飛禽及獵獲之鳥獸等類

(辛) 凡貨物按六等貨物收價運送者

(b) Empty boxes, cases, bags, packages, etc., marked with the words "Returned Empty."

(c) Live Stock.

(d) Explosive and other Dangerous Goods as defined in the General Classification of Goods.

(e) Coffins with corpses.

(f) Sycee, Bullion, Bank Notes, Negotiable Documents, etc.

(g) Perishable goods such as fresh fish, fruit, meat, dead poultry and game, vegetables, ice, etc.

(h) All goods conveyed at Class 6 rates.

(壬)貨物分等表內所載之貴重物品
但與車務處另有約定者不在此
例

(癸)凡貨物經行南京浦口間輪渡運
送時除將來另有通知外暫由貨
主負責

第五節 賠償手續

第十六條 索償手續 凡貨物如有損壞或一部
分損失貨主請求賠償必須於提貨時
在貨運負責收據上簽註聲明之惟貨
主須於提貨後一星期以內具函證明
遺失損壞情形貨物價值等項寄交起

- (i) Goods included in the High Value Goods Classification unless under previous arrangements with the Traffic Managers.
- (j) Goods during transit across the Yangtze between Pukow and Nanking, until further notice.

V. CLAIMS PROCEDURE.

16.—Intimation and Submission of Claims:—Intention to claim for damage or partial loss of goods must be intimated at time when delivery is taken by means of an endorsement on the Railway Risk Goods Receipt. A letter of claim, giving full particulars as to damage, loss, value, etc., must be sent to

運或到達鐵路之車務處長查核辦理
如不依照一切手續而請求賠償者鐵
路概不處理

凡貨物如按應運到終站時間計算已
過期一個月仍未運到即作為遺失貨
物其請求賠償當由起運或到達鐵路
之車務處長查核辦理前項貨物之請
求賠償書應隨同起運站發給之運輸
負債收據一並送交鐵路

第十七條 調查及付償辦法 凡貨物遺失損壞
貨主請求賠償鐵路應迅速調查並於

the Traffic Manager of the despatching or destination Railways
within one week from this time, otherwise no claim will be
entertained.

Consignment of goods which cannot be delivered within
one month from the time they should have arrived at destina-
tion station will be considered as having been lost and claims
in respect of such goods will be dealt with by the Traffic
Manager of the despatching or destination Railways. Letters
of claim in such cases should be accompanied by the Railway
Risk Goods Receipt issued for the goods at the forwarding
station.

17.—Investigation and Settlement of Claims:—Claims will
immediately be investigated by the Railway and settled as soon
as all the necessary enquiries are completed. If, however,

查詢各事完畢即應將賠償事項立即決定如於未經決定賠償以前鐵路將遺失貨物查出將該貨物完整送交請求賠償者或其代表人收納則鐵路認為解脫賠償之責

貨物如有遺失或損壞鐵路得斟酌情形將品質相同之貨物抵償已遺失或損壞之貨物並得將該項損壞之貨物按照需要情形自行處理之

第十八條 查出已失貨物及賠款退還手續 鐵路在已付賠款以後如將遺失貨物查

goods lost should be recovered before the settlement of any claim made in respect of them, the delivery in good condition of such goods to the claimant or his agent will be considered as satisfying the claim.

The Railways may, at their discretion, settle any claim for lost or damaged goods by replacing the articles lost or damaged by others of the same quality. In such cases the Railways will retain the damaged goods for disposal as they may consider necessary.

18.—Subsequent Recovery of Lost Goods and Their Delivery to Claimants on Refund of Indemnity Paid:—When claims in respect of lost goods have been paid and the said goods are subsequently recovered the claimant will be advised and shall have the

出須即通知請求賠償之人可將已付之賠款退還領取貨物如發出此項通知後逾一個月尙無人領取則該項貨物當由鐵路自行處理之

如因地址不明無法通知者鐵路應將查出貨物情形在起運及到達站布告一個月如逾期仍無人領取鐵路得將該項貨物按照需要情形自行處理之

option of taking delivery of the goods on repayment of the amount of indemnity for their loss paid to him. In case he does not exercise this option within one month from the date of the advice of recovery the Railways shall be at liberty to dispose of the goods as they consider necessary.

In cases where the claimant cannot be advised of recovery of lost goods owing to his address being unknown particulars of the recovered goods shall be posted at the forwarding and destination stations for a period of one month, and if the claimant does not within that time exercise the option referred to above, the Railways may dispose of the goods as they think necessary.

L