

Rödl & Partner

# Overcoming boundaries

Transportation law



# Transportation law

Transportation always represented one of the most important of human activities, its role in the economy is simply irreplaceable. This is further borne out by the fact that in international commerce, transportation agreements are the second most frequently concluded type of agreement, coming right after purchase contracts. At Rödl & Partner, we are well aware of the importance of transportation and we have extensive experience in this area.

Whether this concerns road transportation, air transportation, rail transportation, domestic water-way transportation, sea transportation or a combination of the two, we are able to provide the appropriate contractual documentation for our clients. The cornerstone of our services consists of the provision of legal advice for all types of contracts of carriage relating to the foregoing types of transportation. And we of course also take care of the preparation of all other related contractual documents. These related documents are usually shipping contracts or insurance policies (merchandise insurance, liability insurance for carrier and sender, accident insurance and mandatory liability insurance), storage contracts, comprehensive logistical agreements, or purchase contracts – which are frequently fulfilled via transportation. We provide answers to specific questions from our clients concerning the use of various documents of carriage such as consignment notes, bills of lading and way bills.

In addition to contractual documentation, we also help our clients deal with the issues associated with the performance of transportation services. We determine whether the requirements stipulated for performing transportation services have been met, requirements such as financial eligibility and other issues relating to freight forwarding licenses. We can also resolve issues involving administrative delicts, speeding fines or overloaded vehicles, issues that tend to occur quite frequently. And neither do we neglect the issue of cabotage. Transportation law is also linked to other areas of legal advisory such as labor law and tax law. At Rödl & Partner we deal with transportation-related issues comprehensively, within the context of all related legal relations.

Our services include the representation of clients before courts and in arbitration proceedings. Compensation for damage to a transported shipment, collection of insurance payouts and enforcement of recourse claims from insurance companies are but a few of the potential issues that frequently need to be resolved. We also represent clients before administrative authorities as well as during mediation or out-of-court resolution of disputes.

We are often called upon to provide training tailored to a client's requirements right on the client's premises. Our work includes helping to set up internal processes at a client's facility in order to meet the requirements imposed by legal norms. Upon request, we also monitor for our clients the changes in legislation and case-law that pertain to the activity conducted by a particular client.

Due to our global footprint, we can provide our clients with the services of foreign legal specialists, which can be a considerable benefit in the area of international transportation.

Our clients are Rhenus Logistics s.r.o., Hanyš - Jeřábnické práce s.r.o., NordSüd Czech s.r.o., Andreas Schmid Logistik s.r.o. and others.

## Our services

### **We provide our clients with the following legal services:**

- Preparation of complete contractual documentation (including the commercial terms and conditions) for all types of transportation in accordance with the requirements stipulated in the Civil Code, CMR Convention, COTIF, Hamburg Rules, Montreal Convention, CMNI, Directive No. 1/2000 Sb., on Transportation Rules for Public Rail Transportation etc.
- Review of the contractual documents already in use by a client and the documentation provided by the client's business partners for all types of transportation
- Representation in court proceedings (disputes concerning compensation for damage to shipments, disputes regarding payment of carriage fees, collection of insurance proceeds, assertion of recourse claims from insurance companies and so forth)

- Representation before administrative authorities (traffic offenses and the agenda associated with the application of Act No. 266/1994 Sb., On Railways)
- Representation during arbitration proceedings (primarily before the Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic)
- Representation during mediation and out-of-court resolution of disputes
- Legal advice during the setting and optimizing of internal processes at the client's facility to ensure compliance with legal norms
- Legal advice during the setting and optimizing of internal processes within the framework of a logistics chain
- Legal advice on labor law relating to transportation
- Tax advice
- Internal training based on the client's requirements and wishes
- Monitoring of legislative changes in the areas selected by the client

## Your contact person



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# Rödl & Partner

“The worldwide network of Rödl & Partner branches provides clients with professional services domestically and worldwide, as well as global know-how advantages that are of major importance in international transportation.”

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As attorneys, tax advisers, auditors, accountants and management and IT consultants, we are present with 106 own offices in 48 countries. Worldwide, our clients trust our 5,130 colleagues.

In the Czech Republic, we have been offering our services since 1991. Today, we provide our legal, tax, audit, business process outsourcing and management & business consulting services through more than 320 professionals operating in our offices in Prague and Brno.

Rödl & Partner holds the prestigious title of the Czech Law Firm of the Year in the field of tax law in years 2012 to 2020 and concurrently holds the award of Highly Recommended Law Firm in the area of logistics and transportation structures for 2019 and 2020.

Rödl & Partner is a member of the German Transportation Law Society and the Association for Forwarding and Logistics of the Czech Republic.

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