



**QUESTIONNAIRE ON THE INSURANCE METHODS
APPLICABLE TO THE TRANSPORT OF GOODS BY ROAD**

LITHUANIA

Information provided by: Lithuanian National Road Carriers, LINAVA

1. Which legal bases refer in your country to the insurance of the transport of goods by road:

a. for national transport?

- i. Civil Code dated 18 July 2000, book 6, art. 517;
- ii. Law on Insurance dated 18 September, arts. 7, 58 and 135 (for national transport).

b. for international transport?

- i. CMR Convention
- ii. EU legal acts (for international transport).

Lithuanian national laws take into consideration the standards of the EU laws on insurance as a guidance.

It is also important to mention Law on Compulsory Insurance Against Civil Liability in Respect of the Use of Motor Vehicles.

2. Is this regulation of imperative nature?

Yes

3. Does the national regulation make a distinction between an insurance concerning the damages suffered by the goods and an insurance linked to the contractual liability of the transport operator

Yes.

4. If the answer to question 3 is positive, is it possible to foresee the two types of insurance in the same contract?

Yes.

5. Is there a model of insurance contract for these types of insurance?

No.

6. If the answer to question 5 is positive, does this model have to be systematically respected by insurance companies?

(The answer is negative)

7. Which of these two insurances is most frequently contracted:

a. **by the transport operator?**

Contractual liability of the carrier.

b. **by the freight forwarder?**

Contractual liability of the freight forwarder (very seldom, damages to the transported goods).

8. In practice, does the consignor generally insure his goods?

Seldom.

9. What is the legal basis for the recourse by the insurer against the person responsible for the damage (including the transport operator)?

Civil Code, book 6, art. 280.

10. Is it possible to insert a clause in the insurance contract which would forbid any recourse from the insurer?

YES, but not in practice (shipper does not agree).

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Justinas Usonis, Justinas.Usonis@linava.lt