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Article 19 Localised Damage When the loss of or damage to the goods occurred during one particular stage of the multimodal transport, in respect of which an applicable international convention or mandatory national law provides a higher limit of liability than the limit that would follow from application of paragraphs 1 to 3 of Article 18, then the limit of the multimodal transport operators liability for such loss or damage shall be determined by reference to the provisions of such convention or mandatory national law.

Article 20 Non-contractual Liability 1. The defences and limits of liability provided for in this Convention shall apply in any action against the multimodal transport operator in respect of loss resulting from loss of or damage to the goods, as well as from delay in delivery, whether the action be founded in contract, in tort or otherwise. 2. If an action in respect of loss resulting from loss of or damage to the goods or from delay in delivery is brought against the servant or agent of the multimodal transport operator, if such servant or agent proves that he acted within the scope of his employment, or against any other person of whose services the makes use for the performance of the multimodal transport contract, if such other person proves that he acted within the performance of the contract, the servant or agent of such other person shall be entitled to avail himself of the defences and limits of liability which the multimodal transport operator is entitled to invoke under this

Convention. 3. Except as provided in Article 21 , the aggregate of the amounts recoverable from the multimodal transport operator and from a servant or agent or any other person of whose services he makes use for the performance of the multimodal transport contract shall not exceed the limits of liability provided for in this

Convention. Article 21 Loss of the Right to Limit Liability 1. The multimodal transport operator is not entitled to the benefit of the limitation of liability provided for in this Convention if it is proved that the loss , damage or delay in delivery resulted from an act or omission of the multimodal transport operator done with the intent to cause such loss , damage or delay or recklessly and with knowledge that such loss , damage or delay would probably result. 2. Notwithstanding paragraph 2 of Article 20 , a servant or agent of the multimodal transport operator or other person of whose services he makes use for the performance of the multimodal transport contract is not entitled to the benefit of the limitation of liability provided for in this Convention if it is proved that the loss , damage or delay in delivery resulted from an act or omission of such servant , agent or other person , done with the intent to cause such loss , damage or delay or recklessly and with knowledge that such loss , damage or delay would probably result. 100Test 下载频道开通 , 各类考试题目直接下载。详细请访问 www.100test.com