



Analysis of current working method for paper waybills for the digitalisation of processes

The existing paper waybills for road transport combine several purposes:

- ✓ **the waybill gives instructions to the carrier**
 - is part of the transport contract
- ✓ **the waybill provides information about the cargo**
 - relevant for the carrier and government inspectors
 - relevant for the consignee
- ✓ **the waybill details the transfer of liability between sender, carrier and consignee for this shipment**
- ✓ **the waybill is proof of delivery**
 - part of the contract of sale of the goods for sender and buyer
 - part of the transport contract between sender and carrier
- ✓ **the waybill provides information for inspecting authorities**
 - about the shipment
 - about the (combined) transport

This document aims to provide insight into those objectives, how the data in the fields relates to them, and what the duties of the parties are. Understanding this background will help when designing digital variants of waybills.

Underlying legislation

The underlying legislation imposes minimum obligations, which are actively monitored and enforced: they may vary from country to country. Depending on the cargo, there may be all kinds of additional requirements for the documentation: for instance, for hazardous substances. Legislation on professional transport can also result in additional requirements.

Other legislation

Other legislation falls under in rem jurisdiction. This is not actively monitored: it is designed to streamline business transactions and to serve as a reference in conflicts before the courts. A CMR convention falls under that category. General conditions that are widely accepted, such as the General Transport Conditions (AVC) in the Netherlands serve the same purpose. As with other business agreements, the parties may agree further arrangements bilaterally.

Transport is a consequence of trade. In the terms of delivery of a purchase agreement, the buyer and seller agree who will transport the shipment. The waybill sets out many of the arrangements around the transportation of the shipment, as part of the delivery.

From paper to digital

At a time when paper documents were all there was, it made perfect sense for the carrier to also carry the information, including all the information for which the sender is responsible. In a digital age, buying and selling are increasingly taking place digitally, and the carrier's role reverts to its core: transporting a shipment from origin to destination. For the carrier, the main issue then becomes the transfer of liability: from the moment of loading the shipment to releasing the shipment to the consignee. Inspectors need to be able to perform checks, including alongside truck.

Developing new digital forms that serve all the underlying goals will require a number of further steps. If you want to introduce innovations you can, but that does require a good knowledge of the applicable law. This document aims to provide insight into existing practices and legislation.

Note:

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WAYBILL

DOMESTIC ROAD TRANSPORT: COMMERCIAL USE.

The waybill combines several purposes: it is part of the transport contract and sets out instructions, points in time at which liability is transferred, details of cargo and proof of delivery. The widely used General Transport Conditions (AVC) 2002 are general conditions for the transport contract. Further specific arrangements can be made in the transport contract.



CMR

CROSS-BORDER ROAD TRANSPORT: BUSINESS USE.

The waybill combines several purposes: it is part of the transport contract and sets out instructions, points in time at which liability is transferred, details of cargo and proof of delivery. The CMR convention establishes general conditions for the transport contract that are applicable across borders. Further specific arrangements can be made in the transport contract.

		Sender Responsible party	Carrier Responsible party	Comments			Sender Responsible party	Carrier Responsible party	Comments
	Unique document no.	✔		Transport order identification.		Unique document no.	✔		Source is the party that prepares a CMR, with country code and party/provider identification in the code.
1	Transport customer name, address	✔		Required for administration and handling of transport order.	1	Transport customer name, address	✔		
	Transport customer country					Transport customer country	✔		Required for administration and handling of transport order.
2	Addressee name, address	✔		Required for administration and handling of transport order.	2	Addressee name, address	✔		
	Addressee country					Addressee country	✔		Required for administration and handling of transport order.
3	Delivery address	✔		Required for administration and handling of transport order.	3	Delivery address	✔		
	Delivery address country					Delivery address country	✔		Required for administration and handling of transport order.
4	Acceptance address	✔		Use if pick-up address differs from customer address.	4	Acceptance address	✔		
	Acceptance country					Acceptance country	✔		Use if pick-up address differs from customer address.
	Acceptance date	✔		Transfer of liability to carrier.		Acceptance date	✔		Transfer of liability to carrier.
5	Attached documents customs				5	Attached documents customs	✔		Only for customs goods.
	Attached documents packing list	✔		Carrier must hand over documents on delivery.		Attached documents packing list	✔		
	Attached documents invoices	✔				Attached documents invoices	✔		Carrier must hand over documents on delivery.
	Attached documents health cert.	✔				Attached documents health cert.	✔		
	Attached documents other	✔		Option: Demonstrate driver suitability.		Attached documents other	✔		Option: Demonstrate driver suitability.
6	Brands	✔			6	Brands	✔		
	Numbers	✔		Must correspond with brands and numbers on the packages. If the loading is carried out by the carrier, the carrier must check this. Carrier notes discrepancies in box 18.		Numbers	✔		Must correspond with brands and numbers on the packages. If the loading is carried out by the carrier, the carrier must check this. Carrier notes discrepancies in box 18.
7	Number of colli	✔		Number of colli/items of packaging in truck must match number on waybill. If the loading is carried out by the carrier, he must check this. He notes discrepancies in box 18.	7	Number of colli	✔		Number of colli/items of packaging in truck must match the waybill. If the loading carried out by the carrier, he must check this. He notes discrepancies in box 18.
8	Packaging type	✔		If the loading carried out by the carrier, he must check this. He notes discrepancies in box 18.	8	Packaging type	✔		If the loading carried out by the carrier, he must check this. He notes discrepancies in box 18.
9	Nature of the goods	✔			9	Nature of the goods	✔		
	ADR code	✔		Option: Demonstrate driver qualification.		ADR code	✔		Option: Demonstrate driver qualification.
10	Statistical number				10	Statistical number			Only for customs goods.
11	Gross weight	✔		If the carrier does not carry out the loading, he is not liable for the correct loading/stowage of the vehicle.Usually note on waybill.	11	Gross weight	✔		If the carrier does not carry out the loading: he is not liable for the correct loading/stowage of the vehicle. Note on waybill.
12	Volume in m³	✔		Alternative if gross weight is missing.	12	Volume in m³	✔		Alternative if gross weight is missing.
13	Instructions time window	✔			13	Instructions time window	✔		
	Instructions pallet exchange	✔		Instructions for the documents and other instructions noted in box 5. Carrier notes discrepancies in box 18.		Instructions pallet exchange	✔		
	Instructions contact person	✔				Instructions contact person	✔		Instructions for the documents and other instructions noted in box 5. Carrier notes discrepancies in box 18.
	Instructions other (e.g. temperature)	✔				Instructions other (e.g. temperature)	✔		
14	Carriage paid/ non-carriage paid	✔		If not carriage paid: customer must also complete box 20. If the consignee refuses to pay, the carrier does not have to deliver.	14	Carriage paid/ non-carriage paid	✔		If not carriage paid: customer must also complete box 20. If the consignee refuses to pay, the carrier does not have to deliver.
15	Cash on delivery	✔		If the consignee refuses to pay cash on delivery, the carrier cannot deliver.	15	Cash on delivery	✔		If the consignee refuses to pay cash on delivery, the carrier cannot deliver.
16	Carrier name, address		✔		16	Carrier name, address		✔	
	Carrier country					Carrier country		✔	
17	Successive carrier(s) name, address		✔	Complete name and address of successive carrier if applicable.	17	Successive carrier(s) name, address		✔	
	Successive carrier(s) country					Successive carrier(s) country		✔	Complete name and address of successive carrier if applicable.
18	Carrier's reservations and comments		✔	Carrier notes any discrepancies in the information recorded by sender in box 6. If the carrier is not able to check, this should be noted in this box (along with the reason). The box can also be used for domestic transport by consignee.	18	Carrier's reservations and comments		✔	Carrier notes any discrepancies in the information recorded by the sender in box 6. If the carrier is not able to check, this should be noted in this box (along with the reason).
19	Special arrangements	✔			19	Special arrangements	✔		
20	Amount payable	✔		If no freight charges and additional costs are needed, this field can be designed/used for loading/discharge times.	20	Amount payable	✔		If no freight charges and additional costs are needed, this field can be designed/ used for loading/discharge times
21	Drawn up at: place, date	✔		For demonstrability and limitation period.	21	Drawn up at: place, date	✔		For demonstrability and limitation period
22	Sender signature	✔			22	Sender signature	✔		
	Sender stamp	✔		Part of the transport contract: requirements as to form are set out there.		Sender stamp	✔		Part of the transport contract: requirements as to form are set out there.
23	Carrier signature		✔		23	Carrier signature		✔	
	Carrier stamp		✔	Part of the transport contract: requirements as to form are set out there.		Carrier stamp		✔	Part of the transport contract: requirements as to form are set out there.
	Carrier vehicle registration		✔			Carrier vehicle registration		✔	
24	Consignee signature		✔		24	Consignee signature		✔	
	Consignee print name in capitals		✔	Part of the transport contract: requirements as to form are set out there.		Consignee print name in capitals		✔	Part of the transport contract: requirements as to form are set out there.
	Consignee stamp		✔			Consignee stamp		✔	
25	NIWO code		✔		25	NIWO code		✔	

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WAYBILL

MINIMUM REQUIREMENTS FOR DOMESTIC ROAD TRANSPORT

Minimum requirements according to the Netherlands Civil Code Book 8 and Road Transport of Goods Act NL: **domestic transport**. Depending on the type of cargo, other legal requirements may apply to documentation.



CMR

MINIMUM REQUIREMENTS FOR CROSS-BORDER ROAD TRANSPORT

Minimum requirements according to the Netherlands Civil Code Book 8 and Road Transport of Goods Act NL: **cross-border transport**. Depending on the type of cargo, additional legal requirements may apply to documentation for the purposes of checks. Cabotage legislation requires understanding of successive transport agreements.

		Sender Responsible party	Carrier Responsible party	Comments			Sender Responsible party	Carrier Responsible party	Comments
	Unique document no.			Not compulsory but very common.		Unique document no.	✔		Source is the party that prepares a CMR, with country code and party/provider identification in the code.
1	Transport customer name, address Transport customer country	✔			1	Transport customer name, address Transport customer country	✔		
2	Addressee name, address Addressee country	✔			2	Addressee name, address Addressee country	✔		
3	Delivery address	✔			3	Delivery address	✔		
	Delivery address country					Delivery address country	✔		
4	Acceptance address Acceptance country Acceptance date				4	Acceptance address Acceptance country Acceptance date	✔		
5	Attached documents customs Attached documents packing list Attached documents invoices Attached documents health cert. Attached documents other				5	Attached documents customs Attached documents packing list Attached documents invoices Attached documents health cert. Attached documents other	✔		Only for customs goods.
6	Brands Numbers				6	Brands Numbers	✔		
7	Number of colli				7	Number of colli	✔		
8	Packaging type				8	Packaging type	✔		
9	Nature of the goods ADR code	✔			9	Nature of the goods ADR code	✔		
10	Statistical number	✔		Can be listed in separate annex.	10	Statistical number	✔		Goods code from the Combined Nomenclature (CN).
11	Gross weight	✔			11	Gross weight	✔		
12	Volume in m³	✔		Alternative in the absence of gross weight.	12	Volume in m³	✔		Alternative in the absence of gross weight.
13	Instructions time window Instructions pallet exchange Instructions contact person Instructions other (e.g. temperature)				13	Instructions time window Instructions pallet exchange Instructions contact person Instructions other (e.g. temperature)			
14	Carriage paid/ non-carriage paid				14	Carriage paid/ non-carriage paid			
15	Cash on delivery				15	Cash on delivery			
16	Carrier name, address Carrier country		✔		16	Carrier name, address Carrier country		✔	
17	Successive carrier(s) name, address Successive carrier(s) country		✔		17	Successive carrier(s) name, address Successive carrier(s) country		✔	
18	Carrier's reservations and comments		✔	Driver notes any discrepancies on acceptance and/or reports reason if consignment cannot be checked.	18	Carrier's reservations and comments		✔	Driver notes any discrepancies on acceptance and/or reports reason if consignment cannot be checked.
19	Special arrangements				19	Special arrangements			
20	Amount payable				20	Amount payable			
21	Drawn up at place, date				21	Drawn up at place, date	✔		
22	Sender signature Sender stamp	✔			22	Sender signature Sender stamp	✔		
23	Carrier signature Carrier stamp Carrier vehicle registration		✔		23	Carrier signature Carrier stamp Carrier vehicle registration		✔	
24	Consignee signature Consignee print name in capitals Consignee stamp		✔		24	Consignee signature Consignee print name in capitals Consignee stamp		✔	
25	NIWO code		✔	Required under other legislation	25	NIWO code		✔	Required under other legislation

✔ Mandatory

✔ Mandatory if applicable

✔ Note:
not required by the Netherlands Civil Code Book 8 or Road Transport of Goods Act NL. This means that the inspecting authorities in the Netherlands do not enforce this. This may be different for the CMR abroad. Field may have commercial importance (private law). The CMR Convention provides the secure basis for CMR: innovation is possible but requires knowledge.

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Exemplaire pour expéditeur Copy for sender Exemplar für Absender			Lettre de voiture - Document de transport Waybill - Transport document Frachtbrief - Transportdokument			AVC-2002 [Sender]		CMR [Sender]		25 Code transporteur Carrier code Code Frachtführer		No No.		[Carrier]	
1 Expéditeur (nom, adresse, pays) / Sender (name, address, country) / Absender (Name, Anschrift, Land) [Sender]							If the agreed places of receipt and delivery of the goods are in two different countries, the CMR Convention plus the General Transport Conditions 2002, latest version, shall apply. [Sender] NL 0000001 If the agreed places of receipt and delivery of the goods are in the Netherlands, the General Transport Conditions 2002, latest version, shall apply. The General Transport Conditions 2002, latest version, filed with the Registry of the District Courts of Amsterdam and Rotterdam.								
2 Destinataire (nom, adresse, pays) / Addressee (name, address, country) / Empfänger (Name, Anschrift, Land) [Sender]							16 Transporter (nom, adresse, pays) / Carrier (name, address, country) / Frachtführer (Name, Anschrift, Land) [Carrier]								
3 Lieu prévu pour la livraison de la marchandise (lieu, pays) / Place (designated) for delivery of the goods (city, country) / Auslieferungsort des Gutes (Ort, Country) [Sender]							17 Transporteurs successifs (nom, adresse, pays) / Successive carriers (name, address, country) / Nachfolgende Frachtführer (Name, Anschrift, Land) [Carrier]								
4 Lieu et date de la prise en charge de la marchandise (lieu, pays, date) / Place and date of acceptance of the goods (city, country, date) / Ort und Tag de Übernahme des Gutes (Ort, Land, Datum) [Sender]							18 Réserves et observations du transporteur / Reservations and comments by the carrier / Vorbehalte und Bemerkungen des Frachtführers [Carrier]								
5 Documents annexes / Attached documents / Beigefügte Dokumente [Sender]															
6 Marques et numéros / Brands and numbers / Kennzeichen und Nummern [Sender] [Carrier] IF CARRIER LOADS/ DISCHARGES		7 Nombre de colis / Number of colli / Anzahl der Packstücke [Sender] [Carrier] IF CARRIER LOADS/ DISCHARGES		8 Mode d'emballage / Type of packaging / Art der Verpackung [Sender] [Carrier] IF CARRIER LOADS/ DISCHARGES		9 Nature de la marchandise / Nature of the goods / Bezeichnung des Gutes [Sender]		10 No statistique / Statistical number / Statistik nummer [Sender]		11 Poids brut. kg / Gross weight in kg / Gross weight in kg [Sender]		12 Cubage m³ / Volume in m³ / Umfang in m³ [Sender]			
13 Instructions de l'expéditeur / Sender's instructions / Anweisungen des Absenders [Sender]							19 Conventions particulières / Special arrangements / Besondere Vereinbarungen [Sender]								
14 Prescriptions d'affranchissement / Carriage payment instructions / Frachtzahlungsanweisungen <input type="checkbox"/> Carriage paid / Frei <input type="checkbox"/> Non franco / Carriage not paid / Unfrei [Sender]							Adresse de chargement Loading address Ladeadresse		[Sender] [Carrier]		[Sender] [Carrier]		[Sender] [Carrier]		
							Adresse de déchargement Discharge address Entladeadresse		[Sender] [Carrier]		[Sender] [Carrier]		[Sender] [Carrier]		
21 Etablie à / Prepared at (location) / Ausgefertigt in Le / On / Am [Sender]							15 Reimbursement / Cash on delivery / Rückerstattung [Sender]								
22 [Sender] Signature et timbre de l'expéditeur / Sender's signature and stamp / Unterschrift und Stempel des Absenders				23 [Carrier] Signature et timbre du transporteur / Carrier's signature and stamp / Unterschrift und Stempel des Frachtführers				24 Marchandises reçues / Goods received / Gut Empfangen Lieu / Place / Ort Le / On / Am [Carrier] Signature et timbre du destinataire / Addressee's signature and stamp / Unterschrift und Stempel des Empfängers							