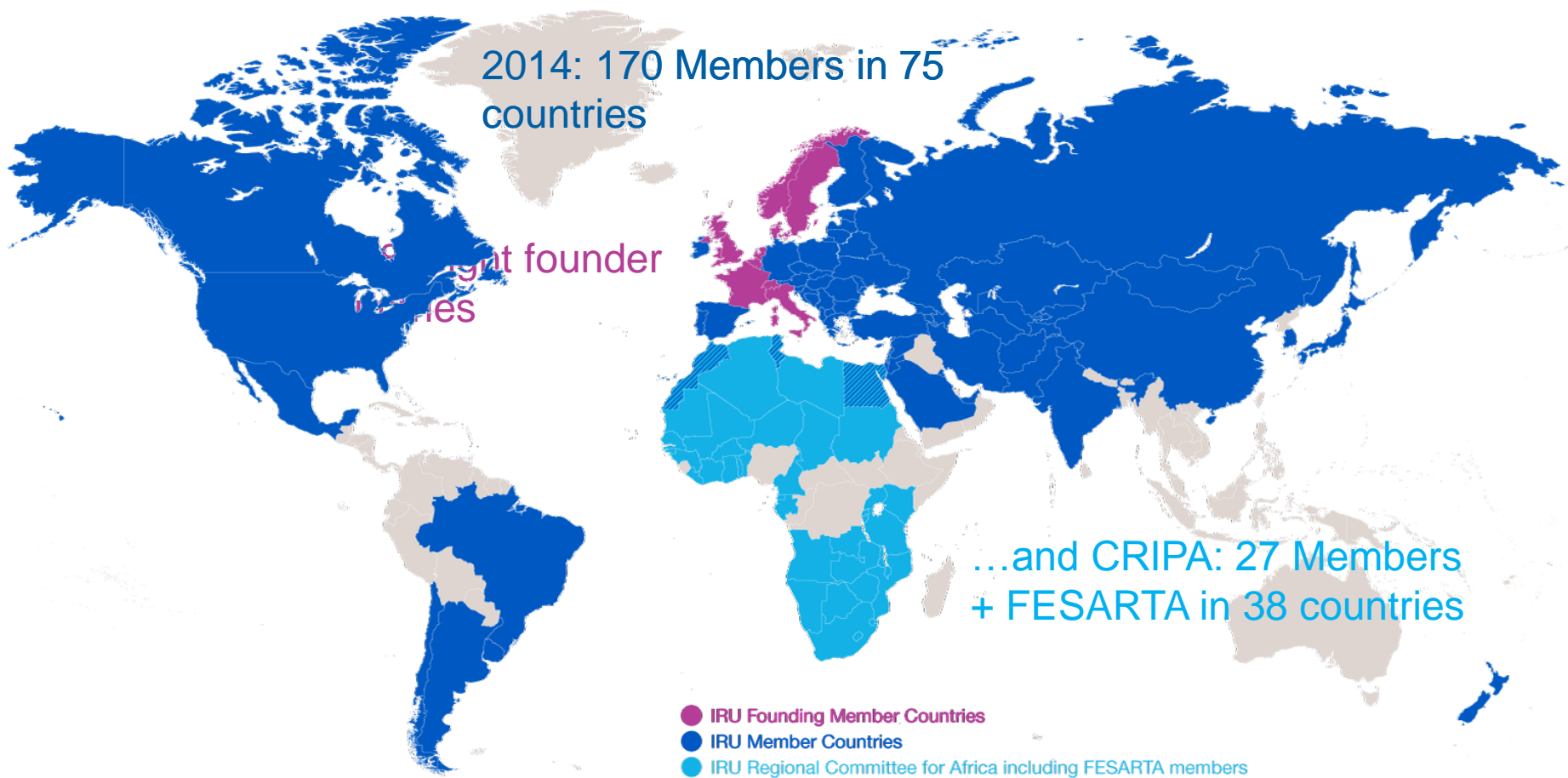


Relevance of a pan- European status for freight forwarders

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Marc Billiet, Head EU Goods Transport

IRU Evolution of IRU Membership



Sustainable Development

- Innovation
- Incentives
- Infrastructure

Facilitation

- Trade
- Tourism
- Road Transport



These are also
the priorities of
the **IRU**
Academy



IRU EU market opening – IRU Position

No further EU market opening

Enforcement of the current rules

Alignment of national framework rules (social, fiscal, etc...)

Shared liability for shippers/
forwarders

Shipper/Client

Forwarder/ Logistics
provider

Operator/ logistics
provider

IRU The role of the freight forwarder?

- ❑ Important role in the logistics chain. Handles 2/3 of goods carried by road in the EU.
- ❑ Many different definitions.
- ❑ Wide range of possible activities and services. Many hauliers combine transport with forwarding activities and vice versa.
- ❑ Some examples
 - ❑ handling the preparation of goods for the shipper.
 - ❑ document preparation.
 - ❑ warehousing/storage.
 - ❑ consolidating freight.
 - ❑ **negotiating freight charges.**
 - ❑ **selecting transport providers.**

Negotiating prices/
Choosing provider



Increased pressure on price
and quality levels



Negative pressure on
compliance levels – liability?



Distortion of competition!



Guarantees for professional competence?

Forwarder/operator versus Forwarder

Different National rules

Aligned EU rules on access to the profession for forwarders !

Haulier

- Access to the profession, EU rules on
 - Establishment.
 - Good repute.
 - Financial Standing.
 - Professional Competence.
- Access to the market, EU rules on
 - Access to the profession.
 - Community Licence

Forwarder

- No EU rules on access to the profession.
- No EU rules on access to the market.

- ❑ Haulier liability: in general the haulier is liable for compliance with the EU rules and regulations.
- ❑ According to CMR: Haulier liability for damage or loss when taking charge of the goods until their delivery. There are exceptions.
- ❑ No clarity on liability in case haulier does not comply with the rules due to instructions from the client/forwarder.
- ❑ In EU Law, some attempts have been made to introduce shared liability: driving and rest time rules.
- ❑ In several Member States, national rules exist on shared liability.
- ❑ Issues relating
 - ❑ Enforcement – provision of proof
 - ❑ Legal certainty
 - ❑ Potential distortion of competition

National rules prevail.

Scope of activity differs between countries.

What is allowed – what is not?

Liability and competitive position differ – potential for distortions

! Transparent, aligned and enforceable legal framework on shared liability !

CONCLUSIONS:

- ❖ FORWARDER HAS AN IMPORTANT ROLE IN LOGISTICS.
- ❖ GUARANTEES FOR PROFESSIONAL COMPETENCE — LEGAL CERTAINTY.
- ❖ EU RULES ON ACCESS TO THE PROFESSION FOR FORWARDERS NEEDED.
- ❖ EU RULES ON SHARED LIABILITY OF THE CLIENT/FORWARDER NEEDED.
- ❖ POSSIBILITY TO APPROACH THIS FROM A WIDER PAN-EUROPEAN PERSPECTIVE.

