

RHA Conditions of Carriage

Why use RHA Conditions?

The RHA Conditions of Carriage is a document that has been designed to specify your legal relationship with your customers. The Conditions include clauses concerning the responsibilities of you and of your customer towards the collection, transportation and delivery of the goods. The conditions also specify your rights to fair treatment and timely payment for your work.

If you do not use conditions of carriage you could be held responsible under Common Law for the full value of a load, with no limit. You can also be held responsible for consequential losses arising from non-delivery or damaged delivery. By using RHA Conditions of Carriage, you limit your liabilities for the goods you carry or store.

Key Benefits

The three main features of the RHA Conditions of Carriage 2020 are as follows:

- There is a limit of £1300 per tonne on the gross weight of goods lost, misdelivered or damaged. (Note: you can opt for a higher limit if you wish, but please ensure that your insurer is aware of the higher limit.)
- Claims for any other loss such as indirect or consequential losses shall not exceed the carriage charges
- The Conditions are available exclusively to RHA members.

How to use RHA conditions

To obtain the protection you need, you not only have to use RHA Conditions, you must use them correctly and be able to show that you have done so. This is equally important in terms of your dealings with both customers and sub-contractors. The following measures should be taken before moving goods for customers and before appointing sub-contractors. If this is not possible, it is prudent to fax your Conditions and follow up in writing in the usual way.

To ensure you are protected by the RHA Conditions

- Make a senior person responsible for issuing Conditions of Carriage.
- Display a copy of the RHA Conditions in public areas of your premises.
- State on all documentation including faxes, emails, collections notes, quotations and invoices that all business is transacted subject to RHA Conditions of Carriage 2020 and that copies are available on request.
- Send your Conditions of Carriage to your insurer annually and customers prior to trading.
- Re-issue the Conditions at least once a year and every time the content is amended.
- Post the Conditions by recorded delivery to your customer's or sub-contractors registered office and keep the posting receipt.

Dealing with Sub-contractors

Additional considerations apply when dealing with sub-contractors:

- Regularly issue a statement to all sub-contractors confirming that goods are passed into their custody and control on the understanding that the sub-contractor accepts responsibility on identical terms to you and subject to the sub-contractor arranging, and maintaining in place, appropriate Goods in Transit insurance.

- Inform sub-contractors that they can only use RHA Conditions of Carriage if they are current members of the RHA.
- Secondary sub-contracting should be forbidden unless you give prior permission in writing. If you wish to give permission, you should clear it with your insurers first.
- Where you act as a sub-contractor, make sure that your principal knows the basis on which you are carrying goods and the scope of the liabilities you accept. If you are required to carry goods under conditions other than RHA Conditions, make sure you arrange adequate insurance cover.
- Always make sure your insurance advisor and your insurer know you use sub-contractors or act as a sub-contractor and that appropriate cover is arranged.

Risk Management

It is in your interests to ensure you use the RHA Conditions of Carriage correctly, as being able to evidence you have applied to correct procedure will protect you in the event of an unfair claim for damage or loss.

Further Information

For a supply of pre-printed RHA Conditions of Carriage, just contact the RHA Hauliers Shop on **01733 263434**.

Sample Letters

Attached are sample letters to use for:

- **New customers**
- **Existing Customers**
- **Sub-contractors**

Sample letters

Letter to send to ALL NEW Customers informing them that you run under RHA Conditions of Carriage

Date
Dear Sirs

Conditions of Carriage

We are obliged for your order and we will do all possible to justify your confidence in us.

All carryings are handled by us, subject to RHA Conditions of Carriage 2020 Edition and a copy of these Conditions is attached to this letter for your retention.

Yours faithfully

Signed

Please note

1. This letter should be forwarded by Recorded Delivery and you must retain proof of posting.
2. If work is to be carried out before receipt of letter, you should fax, but always send original by Recorded Delivery. In this instance you must retain proof of posting and proof of fax.

Letter to send to all EXISTING Customers at least once every year reminding them that you run under RHA Conditions of Carriage

Date
Dear Sirs

Conditions of Carriage

We are writing to remind you that all haulage that we undertake on your behalf is carried out subject to RHA Conditions of Carriage 2020 Edition.

We are enclosing a copy of these Conditions for your retention.

Yours faithfully
Signed

Please note

1. This letter should be forwarded by Recorded Delivery and you must retain proof of posting.
2. You must have an in-house diary system to ensure you repeat this exercise at least once a year.

Letter to send to all Sub-Contractors instructing them that you run under RHA Conditions of Carriage

Date
Dear Sirs

Conditions of Carriage

All haulage that you undertake on our behalf is accepted by you subject to the following:

- You carry subject to RHA Conditions of Carriage 2020 Edition.
- You are a current Member of the RHA and are thereby entitled to use these Conditions.
- You do not further sub-contract our business without our written permission*

This letter is enclosed in duplicate and you should sign one copy signifying your acceptance and return it to this office within seven days.

Yours faithfully
Signed

Please note

1. For all new sub-contractors this letter should be faxed requesting a signed copy to be faxed back immediately.
2. Letters must be issued to all sub-contractors at least once a year.

**This sentence can be omitted or amended if necessary.*