FORWARDING AGENT’S LIABILITY FOR PERSONS WHO ARE ENTRUSTED WITH THE EXECUTION OF OBLIGATION

The above article is an attempt to solve the problems which occur during interpretation of a regulation of the article 799 of the Civil Code, concerning forwarding agent’s responsibility for damages, caused by carriers and other forwarding agents, who are entrusted with the execution of obligation. According to the regulation of the article 799 of the Civil Code the forwarding agent shall be liable for the carriers and others forwarding agent whom he uses in performing the contract unless he is not a fault in their choice. In the succeeding parts of the article the following issues were presented: the essence of regulation contained contract responsibility a function it fulfils, the proof problems connected with the abolition of the due diligence lack presumption on the side of the forwarding agent, interpretation of term other forwarding agent. The next issue discussed is the relations between the article 799 of the Civil Code and regulations concerning mandatory’s responsibility, which are applied respectively to the forward agent’s responsibility.

Translated by Krzysztof Wesołowski