

*Status:* This version of this chapter contains provisions that are prospective.

*Changes to legislation:* There are currently no known outstanding effects for the Carriage by Air Act 1961, CHAPTER 1. (See end of Document for details)

## SCHEDULES

PROSPECTIVE

### [<sup>F1</sup>SCHEDULE 1

#### THE WARSAW CONVENTION AS AMENDED AT THE HAGUE IN 1955 AND BY PROTOCOLS NO. 3 AND NO. 4 SIGNED AT MONTREAL IN 1975

##### Textual Amendments

- F1** [Schedule 1](#), containing the provisions of the Warsaw Convention as amended at the Hague in 1955 and by Protocols No. 3 and No. 4 signed at Montreal in 1975, substituted (*prosp.*) with saving for Schedule 1 as originally enacted, containing the provisions of the Warsaw Convention with the amendments made in it by the Hague Protocol, by Carriage by [Air and Road Act 1979 \(c. 28, SIF 9\)](#), **ss. 1(1)(3), 6(2), 7(2)**

#### PART I

#### THE ENGLISH TEXT

#### CHAPTER I

#### SCOPE—DEFINITIONS

##### *Article 1*

- (1) This Convention applies to all international carriage of persons, baggage or cargo performed by aircraft for reward. It applies equally to gratuitous carriage by aircraft performed by an air transport undertaking.
- (2) For the purposes of this Convention, the expression international carriage means any carriage in which, according to the agreement between the parties, the place of departure and the place of destination, whether or not there be a break in the carriage or a trans-shipment, are situated either within the territories of two High Contracting Parties or within the territory of a single High Contracting Party if there is an agreed stopping place within the territory of another State, even if that State is not a High Contracting Party. Carriage between two points within the territory of a single High Contracting Party without an agreed stopping place within the territory of another State is not international carriage for the purposes of this Convention.
- (3) Carriage to be performed by several successive air carriers is deemed, for the purposes of this Convention, to be one undivided carriage if it has been regarded by

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the parties as a single operation, whether it had been agreed upon under the form of a single contract or of a series of contracts, and it does not lose its international character merely because one contract or a series of contracts is to be performed entirely within the territory of the same State.

*Article 2*

- (1) This Convention applies to carriage performed by the State or by legally constituted public bodies provided it falls within the conditions laid down in Article 1.
- (2) In the carriage of postal items the carrier shall be liable only to the relevant postal administration in accordance with the rules applicable to the relationship between the carriers and the postal administrations.
- (3) Except as provided in paragraph (2) of this Article, the provisions of this Convention shall not apply to the carriage of postal items.]

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