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

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## SCHEDULES

### [<sup>X1</sup>FIRST SCHEDULE

#### THE WARSAW CONVENTION WITH THE AMENDMENTS MADE IN IT BY THE HAGUE PROTOCOL

##### **Editorial Information**

- X1** [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1955 and by Protocols No. 3 and No. 4 signed at Montreal in 1975, substituted (*prosp.*) with saving for Schedule 1 as originally enacted, containing the provisions of the Warsaw Convention with the amendments made in it by the Hague Protocol, by Carriage by [Air and Road Act 1979 \(c. 28, SIF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

#### CONVENTION

FOR THE UNIFICATION OF CERTAIN RULES RELATING TO INTERNATIONAL CARRIAGE BY AIR

### CHAPTER V

#### GENERAL AND FINAL PROVISIONS

##### *Article 32*

Any clause contained in the contract and all special agreements entered into before the damage occurred by which the parties purport to infringe the rules laid down by this Convention, whether by deciding the law to be applied, or by altering the rules as to jurisdiction, shall be null and void. Nevertheless for the carriage of cargo arbitration clauses are allowed, subject to this Convention, if the arbitration is to take place within one of the jurisdictions referred to in the first paragraph of Article 28.

##### *Article 33*

Nothing contained in this Convention shall prevent the carrier either from refusing to enter into any contract of carriage, or from making regulations which do not conflict with the provisions of this Convention.

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*Article 34*

The provisions of Articles 3 to 9 inclusive relating to documents of carriage shall not apply in the case of carriage performed in extraordinary circumstances outside the normal scope of an air carrier's business.

*Article 35*

The expression "days" when used in this Convention means current days not working days.

*Article 36*

The Convention is drawn up in French in a single copy which shall remain deposited in the archives of the Ministry for Foreign Affairs of Poland and of which one duly certified copy shall be sent by the Polish Government to the Government of each of the High Contracting Parties.

*Article 40A*

- (1) *[This paragraph is not reproduced. It defines "High Contracting Part"y.]*
- (2) For the purposes of the Convention the word *territory* means not only the metropolitan territory of a State but also all other territories for the foreign relations of which that State is responsible.

*[Articles 37, 38, 39, 40 and 41 and the concluding words of the Convention are not reproduced. They deal with the coming into force of the Convention.]*

**Changes to legislation:**

There are currently no known outstanding effects for the Carriage by Air Act 1961, CHAPTER V.