
DRAFT STATUTORY INSTRUMENTS

2001 No.

CIVIL AVIATION

**The Carriage by Air Acts (Application
of Provisions) Order 2001**

Made - - - - 2001

Coming into force in accordance with article 1

**THE CARRIAGE BY AIR ACTS
(APPLICATION OF PROVISIONS) ORDER 2001**

1. Citation, commencement and effect
 2. Interpretation
 3. Application
 4. Non-international carriage
 5. International carriage under the unamended Warsaw Convention
 6. International carriage under the unamended Warsaw Convention as amended by Additional Protocol No. 1 of Montreal, 1975
 7. Application of certain provisions of the Acts
 8. Gratuitous carriage by the Crown
 9. Revocation
- Signature

SCHEDULE 1 — Non-international carriage
PART I— — APPLICATION OF THE MONTREAL CONVENTION
PART II
— Non-international carriage

CHAPTER I

General Provisions

1. Article 1—Scope of Application
4. This Schedule applies also to carriage as set out in...
 1. Article 2—Carriage Performed by State and Carriage of Postal Items
 2. In the carriage of postal items, the carrier shall be...
 3. Except as provided in paragraph 2 of this Article, the...

CHAPTER II

Documentation and Duties of the Parties relating to the Carriage of Passengers, Baggage and Cargo

3. Article 3—Passengers and Baggage
5. Non-compliance with the provisions of the foregoing paragraphs shall not...

CHAPTER III

Liability of the Carrier and Extent of Compensation for Damage

1. Article 17—Death and Injury of Passengers—Damage to Baggage
2. The carrier is liable for damage sustained in case of...
3. If the carrier admits the loss of the checked baggage,...
4. Unless otherwise specified, in this Schedule the term “baggage” means...
 1. Article 18—Damage to Cargo
 2. However, the carrier is not liable if and to the...
 3. The carriage by air within the meaning of paragraph 1...
 4. The period of the carriage by air does not extend...
- Article 19—Delay
- Article 20—Exoneration
1. Article 21—Compensation in Case of Death or Injury of Passengers
2. The carrier shall not be liable for damage arising under...
 1. Article 22—Limits of Liability in Relation to Delay, Baggage and Cargo
 2. In the carriage of baggage, the liability of the carrier...
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 4. In the case of destruction, loss, damage or delay of...
 5. The foregoing provisions of paragraphs 1 and 2 of this...
 6. The limits prescribed in Article 21 and in this Article...
 1. Article 23—Conversion of Monetary Units
 2. The value on a particular day of one Special Drawing...
 3. A certificate given by or on behalf of the Treasury...
- Article 25—Stipulation on Limits
- Article 26—Invalidity of Contractual Provisions
- Article 27—Freedom to Contract
- Article 28—Advance Payments
- Article 29—Basis of Claims
1. Article 30—Servants, Agents—Aggregation of Claims
2. The aggregate of the amounts recoverable from the carrier, its...
3. Save in respect of the carriage of cargo, the provisions...
 1. Article 31—Timely Notice of Complaints
 2. In the case of damage, the person entitled to delivery...
 3. Every complaint must be made in writing and given or...
 4. If no complaint is made within the times aforesaid, no...
 1. Article 32—Death of Person Liable
 2. Article 33—Arbitration
 3. The arbitrator or arbitration tribunal shall apply the provisions of...
 4. The provisions of paragraphs 2 and 3 of this Article...
 1. Article 35—Limitation of Actions
 2. The method of calculating that period shall be determined by...
 1. Article 36—Successive Carriage
 2. In the case of carriage of this nature, the passenger...
 3. As regards baggage or cargo, the passenger or consignor will...

Article 37—Right of Recourse against Third Parties

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Carriage by Air Performed by a Person other than the Contracting Carrier

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1. The 1955 amended Convention and the Guadalajara Convention shall apply...
2. For the purposes of Article 5 of this Order and...
3. The 1955 amended Convention shall apply to international carriage as...
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- A. The 1955 Warsaw Convention, as applied by Schedule 2

INTERNATIONAL CARRIAGE UNDER THE UNAMENDED WARSAW CONVENTION

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- A. The 1955 Warsaw Convention, as applied by Schedule 2

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SCHEDULE 3 — International carriage under the Warsaw Convention as amended by Additional Protocol No. 1 of Montreal 1975

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1. The 1955 amended Convention and the Guadalajara Convention shall apply...

2. For the purposes of Article 6 of this Order and...

3. The 1955 amended Convention shall apply to international carriage as...

4. The Guadalajara Convention shall apply to international carriage within the...

PART II

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ADDITIONAL PROTOCOL TO THE WARSAW CONVENTION

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Article I

Article II

1. Article III

2. The acts and omissions of the contracting carrier and of...

Article IV

Article V

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Article VII

Article VIII

1. Article IX

2. In respect of the carriage performed by the actual carrier,...

3. Any clause contained in an agreement for carriage and all...

Article X

SCHEDULE 4 — **Orders revoked**

Explanatory Note