



# Carriage by Air Act 1961

1961 CHAPTER 27 9 and 10 Eliz 2

**[<sup>F1</sup>8    Actions against parties to Conventions.**

- (1) Each party to a Carriage by Air Convention, for the purposes of any action brought in a court in the United Kingdom in accordance with a provision mentioned in subsection (5) to enforce a claim in respect of carriage undertaken by him, is deemed to have submitted to the jurisdiction of that court.
- (2) Accordingly, rules of court may provide for the manner in which any such action is to be commenced and carried on.
- (3) But nothing in this section shall authorise the issue of execution against the property of any party to a Carriage by Air Convention.
- (4) Subsections (1) and (2) do not apply to a party to a Carriage by Air Convention who has availed himself, in relation to a provision mentioned in subsection (5), of—
  - (a) the Additional Protocol at the end of the Convention,
  - (b) the Additional Protocol at the end of the Convention as amended; or
  - (c) Article 57(a) of the Montreal Convention.
- (5) The provisions are—
  - (a) Article 28 of the Convention;
  - (b) Article 28 of the Convention as amended;
  - (c) Articles 33 and 46 of the Montreal Convention.
- (6) “Party” means—
  - (a) in relation to the Convention and the Convention as amended, a High Contracting Party; and
  - (b) in relation to the Montreal Convention, a State Party.]

**Textual Amendments**

- F1** S. 8 substituted (coming into force in accordance with art. 1(2)) by [S.I. 2002/263](#), [art. 2\(21\)](#) (with [art. 1\(3\)](#))

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**Changes to legislation:** There are currently no known outstanding effects for the Carriage by Air Act 1961, Section 8. (See end of Document for details)

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**Modifications etc. (not altering text)**

- C1** S. 8 applied (with modifications) (6.8.2004) by [The Carriage by Air Acts \(Application of Provisions\) Order 2004 \(S.I. 2004/1899\)](#), arts. 1(2), 6(1)(4), **Sch. 3** (with arts. 1(3), 3)
- C2** S. 8 applied (with modifications) (6.8.2004) by [The Carriage by Air Acts \(Application of Provisions\) Order 2004 \(S.I. 2004/1899\)](#), arts. 1(2), 5(1)(4), **Sch. 2** (with arts. 1(3), 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Carriage by Air Act 1961, Section 8.