3. The last Order made under that subsection was the Carriage by Air (Parties to Convention) Order, 1939 (S.R. & O. 1939, No. 733, I p. 110) and the present Order has been made by reason of the subsequent accession to the Convention of Liberia and Canada.

4. The first paragraph of Article 2 of the Convention, referred to in Article 3 of the Order, provides for the application of the Convention to carriage performed by the State or by legally constituted public bodies.

The Carriage by Air (Parties to Convention) (No. 2) Order, 1948

1948 No. 2058

Made - - - 13*th September,* 1948

At the Court at Buckingham Palace, the 13th day of September, 1948

Present,

The King's Most Excellent Majesty in Council

Whereas a Convention for the unification of certain rules relating to international carriage by air was on the twelfth day of October, nineteen hundred and twenty-nine, signed at Warsaw on behalf of His Majesty;

And Whereas provision is made by the Carriage by Air Act, 1932(a), for giving effect to the said Convention;

And Whereas by subsection (2) of Section one of the said Act it is provided that His Majesty may by Order in Council from time to time certify who are the High Contracting Parties to the Convention, in respect of what territories they are respectively parties, and to what extent they have availed themselves of the provisions of the Additional Protocol to the Convention, and that any such Order shall, except in so far as it has been superseded by a subsequent Order, be conclusive evidence of the matters so certified:

And Whereas in pursuance of the powers conferred upon Him by the said subsection His Majesty in Council was pleased to make the Carriage by Air (Parties to Convention) Order, 1939(b), and the Carriage by Air (Parties to Convention) Order, 1948(c).

And Whereas the accession to the said Convention by the President of the Republic of Portugal has been duly notified pursuant to paragraph (2) of Article 38 of the said Convention and has taken effect in accordance with paragraph (3) of that Article as from the eighteenth day of June, nineteen hundred and forty-seven:

(a) 22 & 23 Geo. 5. c. 36. (b) S.R. & O. 1939 (No. 733) I, p. 110.
(c) S.I. 1948 No. 1336, p. 160 above.

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. It is hereby certified that the President of the Republic of Portugal is a High Contracting Party to the said Convention in respect of Portugal, and all territories (including colonies) subject to the sovereignty or authority of the Portuguese Republic.

2. It is hereby further certified that the President of the Republic of Portugal as such High Contracting Party has availed himself of the provisions of the Additional Protocol to the said Convention by declaring at the time of accession to the said Convention that the first paragraph of Article 2 of the said Convention shall not apply to international carriage by air performed directly by the Republic of Portugal or any territory or possession under its jurisdiction.

3.—(1) This Order may be cited as the Carriage by Air (Parties to Convention) (No. 2) Order, 1948.

(2) The Carriage by Air (Parties to Convention) Order, 1939, the Carriage by Air (Parties to Convention) Order, 1948, and this Order may be cited together as the Carriage by Air (Parties to Convention) Orders, 1939 to 1948.

E. C. E. Leadbitter.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

1. The Carriage by Air Act, 1932, gives effect in the United Kingdom to the Convention signed at Warsaw on 12th October, 1929, for the unification of certain rules relating to international carriage by air.

2. By Section 1 (2) of the Act, His Majesty may by Order in Council from time to time certify, inter alia, who are the High Contracting Parties to the Convention, and such an Order is conclusive evidence of the matters so certified.

3. The Orders made under that subsection at present in force are the Carriage by Air (Parties to Convention) Order, 1939 (S.R. & O. 1939, No. 733, I, p. 110) and the Carriage by Air (Parties to Convention) Order, 1948 (S.I. 1948, No. 1336); the present Order has been made by reason of the accession to the Convention of Portugal.

4. The first paragraph of Article 2 of the Convention, referred to in Article 2 of the Order, provides for the application of the Convention to carriage performed by the State or by legally constituted public bodies.