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, gave 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. These rules include provision for the carrier to be liable for damage sustained in the event of death or injury of a passenger, loss of, or damage to, goods, or of delay, unless he can prove that he and his agents have taken all necessary measures to avoid the damage, or that it was impossible to take such measures. The liability of the carrier is limited, and there is a time limit for the bringing of an action.

3. " International carriage " is defined as any carriage in which, according to the contract made by the parties, the place of departure and the place of destination, whether or not there be a break in the carriage or a transhipment, 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 a territory subject to the sovereignty, suzerainty, mandate or authority of another Power.

4. The Act provides that the rules, and any provision of Section 1 of the Act, may be applied by Order in Council to carriage by air which is not international carriage as defined in the Convention, subject to such exceptions, adaptations and modifications (if any) as are specified in the Order.

5. This Order applies the rules, and subsections (4) and (5) of Section 1 of the Act, with certain adaptations and modifications, to all carriage by air not previously subject to the Act. The Minister may, however, exempt any carriage by air or any class of carriage by air from the provisions of the Order.

1952 No. 1344

The Carriage by Air (Parties to Convention) (No. 2) Order, 1952

Made - - - - 18*th July*, 1952

At the Court at Buckingham Palace, the 18th day of July, 1952

Present,

The Queen'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 ;

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 Her Majesty may by Order in Council from time to time certify who are the High Contracting Parties to the said Convention, in respect of what

(a) 22 & 23 Geo. 5. c. 36.

territories they are respectively parties and to what extent they have availed themselves of the provisions of the Additional Protocol to the said Convention ;

And Whereas the Carriage by Air (Parties to Convention) Order, 1951(a), was made in pursuance of the powers conferred by the said subsection ;

And Whereas the accession to the said Convention by the Argentine Republic 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 nineteenth day of June, one thousand nine hundred and fifty two ;

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

1. It is hereby certified that the Argentine Republic is a High Contracting Party to the said Convention in respect of Argentina.

2. It is hereby further certified that the Argentine Republic has not availed itself of the provisions of the Additional Protocol to the said Convention.

3.—(1) This Order may be cited as the Carriage by Air (Parties to Convention) (No. 2) Order, 1952.

(2) The Carriage by Air (Parties to Convention) Order, 1951, and this Order may be cited together as the Carriage by Air (Parties to Convention) Orders, 1951 and 1952.

F. J. Fernau.

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, Her Majesty may by Order in Council from time to time certify, inter alia, who are High Contracting Parties to the Convention, and such an Order is conclusive evidence of the matters so certified.

3. The last Order made under that subsection was the Carriage by Air (Parties to Convention) Order, 1951 (S.I. 1951, No. 1386) and the present Order has been made by reason of the subsequent accession of Argentina to the Convention.

(a) S.I. 1951/1386; 1951 I, p. 229.