STATUTORY INSTRUMENTS

1987 No. 703

MERCHANT SHIPPING

The Carriage of Passengers and their Luggage by Sea (Notice) Order 1987

Made - - - -	*9th April 1987*
Laid before Parliament	*15th April 1987*
Coming into force	*30th April 1987*

The Secretary of State, in exercise of the powers conferred by paragraph 11 of Part II of Schedule 3 to the Merchant Shipping Act 1979**(a)** (hereinafter called "the 1979 Act"), including that paragraph as applied by article 3(1) of the Carriage of Passengers and their Luggage by Sea (Domestic Carriage) Order 1987**(b)**, and of all other powers enabling him in that behalf, hereby makes the following Order:–

1.—(1) This Order may be cited as the Carriage of Passengers and their Luggage by Sea (Notice) Order 1987 and shall come into force on 30th April 1987.

(2) In this Order:

"carrier", "luggage" and "passenger" have the same meanings as in article 1 of the Convention relating to the Carriage of Passengers and their Luggage by Sea 1974 (hereinafter referred to as "the Athens Convention"), as set out in Part I of Schedule 3 to the 1979 Act;

"the Domestic Carriage Order" means the Carriage of Passengers and their Luggage by Sea (Domestic Carriage) Order 1987.

2. (1) In relation to any contract of carriage to which

(a) article 2 in Part I of Schedule 3 of the 1979 Act applies, where the contract for carriage is made in the United Kingdom, or where a place in the United Kingdom is the place of departure; or

(b) the Domestic Carriage Order applies

the carrier shall give to the passenger notice of those provisions of the Athens Convention specified in the Schedule hereto.

(2) Such notice shall be given before departure and it shall be sufficient compliance with paragraph (1) if the notice contains a statement that:

(a) the provisions of the Athens Convention may be applicable; and

(b) the Athens Convention in most cases limits the carrier's liability for death or personal injury or loss of or damage to luggage (including a vehicle) and makes special provision for valuables; and

(c) the Athens Convention presumes that luggage has been delivered undamaged unless written notice is given to the carrier:

(i) in the case of apparent damage, before or at the time of disembarkation or re-delivery, or

(a) 1979 c.39.
(b) S.I. 1987/670.

(ii) in the case of damage which is not apparent or of loss, within 15 days from the date of disembarkation or re-delivery or from the time when such re-delivery should have taken place:

Provided that where a ticket is issued, and it is practicable to do so, the ticket itself shall contain a statement specifying the matters set out in subparagraphs (a) to (c).

3. Any carrier who fails to comply with article 2 above shall be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding £1,000.

Michael Spicer
Parliamentary Under Secretary of State,
Department of Transport

Signed by authority of the Secretary of State
9th April 1987

SCHEDULE

Article 2(1)

PROVISIONS OF THE ATHENS CONVENTION OF WHICH NOTICE MUST BE GIVEN TO PASSENGERS

Article 5—Valuables;
Article 7—Limit of liability for personal injury;
Article 8—Limit of liability for loss of, or damage to, luggage;
Article 15—Notice of loss or damage to luggage.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order requires a carrier, in relation to any contract of carriage to which

(i) the Convention relating to the Carriage of Passengers and their Luggage by Sea 1974 (the Athens Convention) applies where the contract of carriage is made in the United Kingdom or where the place of departure is the United Kingdom or

(ii) the Carriage of Passengers and their Luggage by Sea (Domestic Carriage) Order 1987 applies

to give to passengers notice of specified provisions of the Athens Convention. Those provisions relate to the limit of the carrier's liability for valuables, death or personal injury and for loss of or damage to luggage (including a vehicle), and the notice to be given by the passenger in respect of loss or damage to luggage. Notice must be given by the carrier before departure and, where practicable, on the ticket itself.

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