



THE REPUBLIC OF KENYA

LAWS OF KENYA

CARRIAGE BY AIR ACT

NO. 2 OF 1993

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NO. 2 OF 1993

CARRIAGE BY AIR ACT
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PASSENGER

NO. 2 OF 1993

CARRIAGE BY AIR ACT

[Date of assent: 25 May, 1993.]

[Date of commencement: 1st July, 1993.]

An Act of Parliament to give effect to the Convention concerning international carriage by air, known as “the Warsaw Convention as amended by the Hague Protocol, 1955,” to enable the rules contained in that Convention to be applied, with or without modifications, in other cases and, in particular, to non-international carriage by air; and for connected purposes

[Act No. 2 of 1993.]

WHEREAS, under and by virtue of certain applied laws being Orders-in-Council of the United Kingdom styled respectively as the Carriage of Goods by Air (Colonies, Protectorates and Mandated Territories) Order, 1934 and the Carriage by Air (Non-International Carriage) (Colonies, Protectorates and Trust Territories) Order, 1953 and 1955, certain provisions of the Carriage by Air Act, 1932 of the United Kingdom were extended and made applicable to Kenya; AND WHEREAS, by virtue of section 4 of the Kenya Independence Order in Council, 1963 and section 14 of the Constitution of Kenya (Amendment) Act, 1964 those provisions were continued in force and made to have effect as part of the Laws of Kenya; AND WHEREAS it is deemed to be expedient to make provision for the direct application to Kenya of the rules contained in the Convention for the unification of certain rules relating to international carriage by air signed at Warsaw on the 12th October, 1929, and as amended by a Protocol signed at the Hague on the 28th September, 1955: NOW, THEREFORE, BE IT ENACTED by the Parliament of Kenya as follows—

[L.N. 718/1963, Act No. 28 of 1964, L.N. 161/1993.]

1. Short title

This Act may be cited as the Carriage by Air Act, 1993.

2. Interpretation

In this Act, unless the context otherwise requires—

“**the Convention**” means the Convention set out in the First Schedule being a Convention for the Unification of Certain Rules Relating to International Carriage by Air signed at Warsaw on the 12th October, 1929 as amended by a Protocol opened for signature at the Hague on the 28th September, 1955 and any other Convention which may from time to time amend or replace the said Convention and is ratified or acceded to by the Government of Kenya;

“**court**” includes (in an arbitration allowed by the Convention) an arbitrator;

“**the former Act**” means the Carriage by Air Act, 1932, of the United Kingdom;

“**Minister**” means the Minister for the time being responsible for air transport;