



# **THE STATUTES OF THE REPUBLIC OF SINGAPORE**

## **CARRIAGE BY AIR ACT 1988**

### **2020 REVISED EDITION**

This revised edition incorporates all amendments up to and including 1 December 2021 and comes into operation on 31 December 2021.

*Prepared and Published by*

THE LAW REVISION COMMISSION  
UNDER THE AUTHORITY OF  
THE REVISED EDITION OF THE LAWS ACT 1983



# Carriage by Air Act 1988

## ARRANGEMENT OF SECTIONS

### Section

1. Short title
2. Interpretation
3. Conventions to have force of law
4. High Contracting Parties
5. Fatal accidents
6. Limitations of liability
7. Notice of partial loss
8. Time for bringing proceedings
9. Contributory negligence
10. Power to exclude aircraft in use for military purposes
11. Actions against High Contracting Parties
12. Application to carriage by air not governed by Warsaw (Hague) Convention and Warsaw (Hague) (Montreal) Convention
13. Application to Government
  - First Schedule
  - Second Schedule
  - Third Schedule

---

An Act to give effect to the provisions of the Warsaw Convention concerning international carriage by air and the Convention as amended by the Hague Protocol and the Montreal Protocol No. 4 and for purposes connected therewith.

[16 September 1988]

### Short title

1. This Act is the Carriage by Air Act 1988.

**Interpretation**

2. In this Act, unless the context otherwise requires —

“court”, in an arbitration allowed by the Warsaw Convention, the Warsaw (Hague) Convention or the Warsaw (Hague) (Montreal) Convention, includes an arbitrator;

“Hague Protocol” means the Protocol to amend the Warsaw Convention opened for signature at the Hague on 28 September 1955;

“Montreal Protocol No. 4” means Protocol No. 4 to amend the Warsaw (Hague) Convention opened for signature at Montreal on 25 September 1975;

“Warsaw Convention” means the original Convention for the unification of certain rules relating to international carriage by air opened for signature at Warsaw on 12 October 1929, the text of which is set out in the Second Schedule;

“Warsaw (Hague) Convention” means the Warsaw Convention as amended by the Hague Protocol, the text of which is set out in the First Schedule;

“Warsaw (Hague) (Montreal) Convention” means the Warsaw (Hague) Convention as amended by the Montreal Protocol No. 4, the text of which is set out in the Third Schedule.

**Conventions to have force of law**

3.—(1) Subject to this Act, the provisions of the Warsaw Convention, the Warsaw (Hague) Convention and the Warsaw (Hague) (Montreal) Convention, so far as they relate to the rights and liabilities of carriers, carriers’ employees and agents, passengers, consignors, consignees and other persons, have the force of law in Singapore in relation to any carriage by air to which the Warsaw Convention, the Warsaw (Hague) Convention or the Warsaw (Hague) (Montreal) Convention (as the case may require) applies irrespective of the nationality of the aircraft performing that carriage.

(2) If there is any inconsistency between any of the texts set out in the First, Second and Third Schedules and the authentic text in the French language of the Warsaw Convention, or the Hague Protocol or

the Montreal Protocol No. 4 (as the case may be), the authentic French text prevails.

## **High Contracting Parties**

**4.**—(1) For the purposes of this Act —

- (a) a High Contracting Party to the Warsaw Convention is a country that has ratified or acceded to that Convention;
- (b) a High Contracting Party to the Warsaw (Hague) Convention is a country that has ratified or acceded to that Convention; and
- (c) a High Contracting Party to the Warsaw (Hague) (Montreal) Convention is a country that has ratified or acceded to that Convention,

except that this Act applies to any such High Contracting Party —

- (d) only in relation to the territories in respect of which it is a party to the Warsaw Convention, the Warsaw (Hague) Convention or the Warsaw (Hague) (Montreal) Convention, as the case may be; and
- (e) to the extent that it has availed itself of the provisions of the Additional Protocol at the end of the Warsaw Convention, the Warsaw (Hague) Convention and the Warsaw (Hague) (Montreal) Convention, as the case may be.

[41/2007]

(2) Article 40A(2) in the First and Third Schedules is not to be read as extending references in those Schedules to the territory of a High Contracting Party (except such as are references to the territory of any State, whether a High Contracting Party or not) to include any territory in respect of which that High Contracting Party is not a party.

[41/2007]

## **Fatal accidents**

**5.** References in section 20 of the Civil Law Act 1909 to a wrongful act, neglect or default include references to any occurrence which gives rise to liability under Article 17 in the First, Second and Third Schedules.