

Carriage by Air (Amendment) Bill

Table of Contents

Bill No: 5/1999

Read the first time: 20th January 1999

Long Title

Enacting Formula

1 Short title, commencement and application

2 Amendment of long title

3 Amendment of section 2

4 Amendment of section 3

5 Amendment of section 4

6 Amendment of section 5

7 Amendment of section 6

8 Amendment of section 7

9 Amendment of section 8

10 Amendment of section 9

11 Amendment of section 10

12 Amendment of section 11

13 Amendment of section 12

14 Amendment of First Schedule

15 New Third Schedule

Explanatory Statement

Expenditure of Public Money

Carriage by Air (Amendment) Bill

Bill No. 5/1999

Read the first time on 20th January 1999.

An Act to amend the Carriage by Air Act (Chapter 32A of the 1989 Revised Edition) to give effect to the provisions of Protocol No. 4 signed at Montreal on 25th September 1975 which further amend the Warsaw Convention concerning international carriage by air as amended at the Hague on 28th September 1955.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title, commencement and application

1.—(1) This Act may be cited as the Carriage by Air (Amendment) Act 1999 and shall be deemed to have come into operation on 12th September 1998.

(2) This Act shall not affect rights and liabilities arising out of an occurrence which took place before 12th September 1998.

Amendment of long title

2. The long title of the Carriage by Air Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the words “Hague Protocol”, the words “and the Montreal Protocol No.4”.

Amendment of section 2

3. Section 2 of the principal Act is amended —

- (a) by deleting the definitions of “amended Convention” and “Convention”;
- (b) by deleting the words “Convention or amended Convention” in the definition of “court” and substituting the words “Warsaw Convention, the Warsaw (Hague) Convention or the Warsaw (Hague) (Montreal) Convention”;
- (c) by inserting, immediately after the definition of “Hague Protocol”, the following definition:

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

- (d) by deleting the definition of “Warsaw Convention” and substituting the following definitions:

“ “Warsaw Convention” means the original Convention for the unification of certain rules relating to international carriage by air opened for signature at Warsaw on 12th 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.”.

Amendment of section 3

4. Section 3 of the principal Act is amended —

- (a) by deleting the words “Convention and the amended Convention” in the 1st and 2nd lines of subsection (1) and substituting the words “Warsaw Convention, the Warsaw (Hague) Convention and the Warsaw (Hague) (Montreal) Convention”;
- (b) by deleting the words “Convention or the amended Convention” in the 6th and 7th lines of subsection (1) and substituting the words “Warsaw Convention, the Warsaw (Hague) Convention or the Warsaw (Hague) (Montreal) Convention”; and
- (c) by deleting subsection (2) and substituting the following subsection:

“(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 shall prevail.”.

Amendment of section 4

5. Section 4 of the principal Act is amended —

- (a) by deleting the words “High Contracting Parties to the Convention and the High Contracting Parties to the amended Convention” in the 2nd, 3rd and 4th lines of subsection (1) and substituting the words “High Contracting Parties to the Warsaw Convention, the High Contracting Parties to the Warsaw (Hague) Convention and the High Contracting Parties to the Warsaw (Hague) (Montreal) Convention”;
- (b) by deleting the words “Convention and the amended Convention” in the 7th and 8th lines of subsection (1) and substituting the words “Warsaw Convention, the Warsaw (Hague) Convention and the Warsaw (Hague) (Montreal) Convention”;
- (c) by deleting the words “First Schedule” in the 1st line of subsection (2) and substituting the words “First and Third Schedules”; and
- (d) by deleting the words “that Schedule” in the 2nd line of subsection (2) and substituting the words “those Schedules”.

Amendment of section 5

6. Section 5 of the principal Act is amended by deleting the words “First and Second Schedules” and substituting the words “First, Second and Third Schedules”.

Amendment of section 6

7. Section 6 of the principal Act is amended —

- (a) by deleting the words “First and Second Schedules” wherever they appear in subsections (1) and (4) and substituting in each case the words “First, Second and Third Schedules”;
- (b) by deleting the words “First or Second Schedule” in subsections (2) and (3) and substituting in each case the words “First, Second or Third Schedule”;
- (c) by inserting, immediately after the word “francs” in the last line of subsection (4), the words “or Special Drawing Rights, as the case may

be,”;

- (d) by deleting the words “First Schedule” in the 1st and 2nd lines of subsection (5) and substituting the words “First and Third Schedules”; and
- (e) by deleting the words “First Schedule” in the last line of subsection (5) and substituting the words “First and Third Schedules, respectively”.

Amendment of section 7

8. Section 7 of the principal Act is amended by deleting the words “First and Second Schedules” in the 1st line and substituting the words “First, Second and Third Schedules”.

Amendment of section 8

9. Section 8 of the principal Act is amended —

- (a) by deleting the words “Convention or the amended Convention” in subsections (1), (2) and (3) and substituting in each case the words “Warsaw Convention, the Warsaw (Hague) Convention or the Warsaw (Hague) (Montreal) Convention”; and
- (b) by deleting the words “First and Second Schedules” in subsections (2) and (4) and substituting in each case the words “First, Second and Third Schedules”.

Amendment of section 9

10. Section 9 of the principal Act is amended by deleting the words “First and Second Schedules” in the 2nd line and substituting the words “First, Second and Third Schedules”.

Amendment of section 10

11. Section 10(2) of the principal Act is amended by deleting the words “amended Convention” in the 1st line and substituting the words “Warsaw (Hague) Convention and the Warsaw (Hague) (Montreal) Convention”.

Amendment of section 11

12. Section 11 of the principal Act is amended —

- (a) by deleting the words “Convention or the amended Convention” in the 1st and 2nd lines and substituting the words “Warsaw Convention, the Warsaw (Hague) Convention or the Warsaw (Hague) (Montreal) Convention”; and