*Merchant Shipping Act 1995 (c. 21)*
*SCHEDULE 6 – Convention Relating to the Carriage of Passengers and Their Luggage by Sea*
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# S C H E D U L E S

## SCHEDULE 6 U.K.

## CONVENTION RELATING TO THE CARRIAGE OF PASSENGERS AND THEIR LUGGAGE BY SEA

### PART I U.K.

### TEXT OF CONVENTION

### ARTICLE 3 U.K.

*Liability of the carrier*

1       The carrier shall be liable for the damage suffered as a result of the death of or personal injury to a passenger and the loss of or damage to luggage if the incident which caused the damage so suffered occurred in the course of the carriage and was due to the fault or neglect of the carrier or of his servants or agents acting within the scope of their employment.

2       The burden of proving that the incident which caused the loss or damage occurred in the course of the carriage, and the extent of the loss or damage, shall lie with the claimant.

3       Fault or neglect of the carrier or of his servants or agents acting within the scope of their employment shall be presumed, unless the contrary is proved, if the death of or personal injury to the passenger or the loss of or damage to cabin luggage arose from or in connection with the shipwreck, collision, stranding, explosion or fire, or defect in the ship. In respect of loss of or damage to other luggage, such fault or neglect shall be presumed, unless the contrary is proved, irrespective of the nature of the incident which caused the loss or damage. In all other cases the burden of proving fault or neglect shall lie with the claimant.

**Status:**
Point in time view as at 01/03/2005.

**Changes to legislation:**
Merchant Shipping Act 1995, Cross Heading: Liability of the carrier is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.