



Carriage by Air Act 1961

1961 CHAPTER 27 9 and 10 Eliz 2

[^{F1}1 Convention to have the force of law

- (1) The applicable provisions of the Carriage by Air Conventions have the force of law in the United Kingdom in relation to any carriage by air to which they apply, irrespective of the nationality of the aircraft performing that carriage.
- (2) Subsection (1) does not apply in relation to [^{F2}UK air carriers] to the extent that the provisions of the Council Regulation have the force of law in the United Kingdom.
- (3) Subsection (1) is subject to the other provisions of this Act.
- (4) If more than one of the Carriage by Air Conventions applies to a carriage by air, the applicable provisions that have the force of law in the United Kingdom are those of whichever is the most recent applicable Convention in force.
- (5) The Carriage by Air Conventions are—
 - (a) the Convention known as “the Warsaw Convention as amended at The Hague, 1955” (“the Convention”);
 - (b) that Convention as further amended by Protocol No. 4 of Montreal, 1975 (“the Convention as amended”); and
 - (c) the Convention known as “the Montreal Convention 1999” (“the Montreal Convention”).
- (6) “The applicable provisions” means—
 - (a) the provisions of the Convention set out in Schedule 1,
 - (b) the provisions of the Convention as amended set out in Schedule 1A, and
 - (c) the provisions of the Montreal Convention set out in Schedule 1B,so far as they relate to the rights and liabilities of carriers, carriers’ servants and agents, passengers, consignors, consignees and other persons.
- (7) In this Act a reference to an Article of, or Protocol to, any of the Carriage by Air Conventions is a reference to that Article or Protocol as it appears in the Schedule in which it is set out.

Changes to legislation: Carriage by Air Act 1961, Section 1 is up to date with all changes known to be in force on or before 25 May 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. (See end of Document for details) View outstanding changes

(8) If there is any inconsistency between the text in English in Part I of Schedule 1 or 1A and the text in French in Part II of that Schedule, the French text shall prevail.]

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Textual Amendments

- F1** S. 1 substituted (coming into force in accordance with art. 1(2)) by [S.I. 2002/263](#), **art. 2(2)** (with art. 1(3))
- F2** Words in s. 1(2) substituted (31.12.2020) by [The Air Passenger Rights and Air Travel Organisers Licensing \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/278), regs. 1(3), **2(2)**; 2020 c. 1, Sch. 5 para. 1(1)

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Changes and effects yet to be applied to :

- s. 1(1) words inserted by [1979 c. 28 Sch. 2 para. 1](#)