

2009 No. 3018

CIVIL AVIATION

**The Carriage by Air (Revision of Limits of Liability under the
Montreal Convention) Order 2009**

Made - - - - - *17th November 2009*

Coming into force - - - - - *30th December 2009*

At the Court at Buckingham Palace, the 17th day of November 2009

Present,

The Queen's Most Excellent Majesty in Council

This Order is made by Her Majesty in Council in exercise of the powers conferred by section 2(1A) of the Carriage by Air Act 1961(a).

Her Majesty, by and with the advice of Her Privy Council, orders as follows:

Citation and commencement

1. This Order may be cited as the Carriage by Air (Revision of Limits of Liability under the Montreal Convention) Order 2009 and comes into force on 30th December 2009.

Certification of the revision of limits of liability under the Montreal Convention(b)

2. The revised limits of liability established under Articles 21 and 22 of the Montreal Convention are as certified in the third column of the table.

<i>Montreal Convention</i>	<i>Old limit (Special Drawing Rights)</i>	<i>Revised limit (Special Drawing Rights)</i>
Article 21, paragraph 1	100,000	113,100
Article 22, paragraph 1	4,150	4,694
Article 22, paragraph 2	1,000	1,131
Article 22, paragraph 3	17	19

Judith Simpson
Clerk of the Privy Council

(a) 1961 c.27; section 2(1A) was inserted by the Carriage by Air Acts (Implementation of the Montreal Convention 1999) Order 2002 (S.I. 2002/263), article 2(4).
(b) Cm. 4651.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order certifies the revised limits of liability established under the Montreal Convention 1999. The revision of the limits was accomplished under Article 24 of that Convention. Article 24 provides that the limits of liability are to be reviewed by the International Civil Aviation Organisation (ICAO) at five-year intervals by reference to an inflation factor which corresponds to the accumulated rate of inflation since the date of entry into force of the Convention. In the absence of disapproval by a majority of State Parties the revised limits become effective six months after their notification to State Parties by ICAO. The limits are expressed in Special Drawing Rights (SDR), a unit of account established by the International Monetary Fund. The SDR is defined as a basket of currencies, today consisting of the euro, Japanese yen, pound sterling and U.S. dollar.

An impact assessment has not been produced for this Order as the revision of the liability limits corresponds to the rate of inflation. The Explanatory Memorandum is available alongside the Order on the OPSI website (www.opsi.gov.uk).

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