

# Civil Aviation (Carriers' Liability)

No. 54 of 1970

An Act to amend the *Civil Aviation (Carriers' Liability) Act 1959–1966*.

[Assented to 25 June 1970]

**B**E it enacted by the Queen's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows:—

1.—(1.) This Act may be cited as the *Civil Aviation (Carriers' Liability) Act 1970*. Short title and citation.

(2.) The *Civil Aviation (Carriers' Liability) Act 1959–1966\** is in this Act referred to as the Principal Act.

(3.) The Principal Act, as amended by this Act, may be cited as the *Civil Aviation (Carriers' Liability) Act 1959–1970*.

2. This Act shall come into operation on a date to be fixed by Proclamation. Commencement.

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\* Act No. 2, 1959, as amended by No. 38, 1962; and No. 93, 1966.

Certain liabilities not excluded.

3. Section 14 of the Principal Act is amended by omitting paragraph (a) and inserting in its stead the following paragraph:—

“(a) to indemnify an employer of a passenger or any other person in respect of any liability of, or payments made by, that employer or other person under a law of the Commonwealth or of a State or Territory of the Commonwealth providing for compensation, however described, in the nature of workers' compensation; or”.

Interpretation.

4. Section 26 of the Principal Act is amended—

(a) by inserting in sub-section (1.), after the definition of “baggage”, the following definition:—

“‘charter licence’ means a charter licence in force under the Air Navigation Regulations;”;

(b) by inserting in sub-section (2.), after the words “an airline licence”, the words “or a charter licence”; and

(c) by inserting in sub-section (2.), after the words “the airline licence”, the words “or charter licence”.

Application of Part.

5. Section 27 of the Principal Act is amended by inserting in sub-section (1.), after the words “airline licence”, the words “or a charter licence”.

Limitation of liability.

6. Section 31 of the Principal Act is amended—

(a) by omitting from sub-section (1.) the words “Fifteen thousand dollars” and inserting in their stead the words “Thirty thousand dollars”;

(b) by omitting from sub-section (2.) the words “Two hundred dollars” and inserting in their stead the words “Three hundred dollars”; and

(c) by omitting from sub-section (3.) the words “Twenty dollars” and inserting in their stead the words “Thirty dollars”.

Certain liabilities not excluded.

7. Section 37 of the Principal Act is amended by omitting paragraph (a) and inserting in its stead the following paragraph:—

“(a) to indemnify an employer of a passenger or any other person in respect of any liability of, or payments made by, that employer or other person under a law of the Commonwealth or of a State or Territory of the Commonwealth providing for compensation, however described, in the nature of workers' compensation; or”.

Application of amendments.

8. The amendments made by this Act do not apply in relation to an accident or occurrence that took place before the commencement of this Act.