

(4.) A certificate in writing under the hand of the Minister of State for External Affairs that a document to which the certificate is annexed is a true copy of the authentic text in the French language of the Warsaw Convention or of the Hague Protocol is evidence that the document is such a true copy.

**PART II.—CARRIAGE TO WHICH THE WARSAW CONVENTION AND THE HAGUE PROTOCOL APPLY.**

**10.** In this Part, “the Convention” means the Warsaw Convention and the Hague Protocol read and interpreted together as one single instrument in accordance with Article XIX. of the Hague Protocol. Definition.

**11.—(1.)** The provisions of the Convention have, subject to this Part, the force of law in Australia in relation to any carriage by air to which the Convention applies, irrespective of the nationality of the aircraft performing that carriage. Convention to have force of law.

(2.) A reference in this Part to the Convention shall, unless the contrary intention appears, be read as a reference to the provisions of the Convention as having the force of law by virtue of this section.

**12.—(1.)** The provisions of this section apply in relation to liability imposed by the Convention on a carrier in respect of the death of a passenger (including the injury that resulted in the death). Liability in respect of death.

(2.) Subject to section fourteen of this Act, the liability under the Convention is in substitution for any civil liability of the carrier under any other law in respect of the death of the passenger or in respect of the injury that has resulted in the death of the passenger.

(3.) Subject to the next succeeding sub-section, the liability is enforceable for the benefit of such of the members of the passenger’s family as sustained damage by reason of his death.

(4.) To the extent that the damages recoverable include loss of earnings or profits up to the date of death, or funeral, medical or hospital expenses paid or incurred by the passenger before his death or by his personal representative, the liability is enforceable for the benefit of the personal representative of the passenger in his capacity as personal representative.

(5.) For the purposes of sub-section (3.) of this section, the members of the passenger’s family shall be deemed to be the wife or husband, parents, step-parents, grandparents, brothers, sisters, half-brothers, half-sisters, children, step-children and grandchildren of the passenger, and, in ascertaining the members