

(2.) A notice in force under this section is evidence of the matters declared.

19. For the purposes of section thirty-eight of the *Judiciary Act* 1903–1955, an action under the Convention shall be deemed not to be a matter arising directly under a treaty. Jurisdiction of State courts preserved.

PART III.—CARRIAGE TO WHICH THE WARSAW CONVENTION WITHOUT THE HAGUE PROTOCOL APPLIES.

20.—(1.) In this Part, “the Convention” means the Warsaw Convention as in force, unaffected by the Hague Protocol, between Australia and any other countries. Interpretation.

(2.) For the purposes of this Part, a reference in the Convention to the territory of a High Contracting Party to the Convention shall be read as a reference to the territories in respect of which a Party declared, in pursuance of section twenty-two of this Act, to be a High Contracting Party to the Convention is declared, in pursuance of that section, to be bound by the Convention.

21.—(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. Provisions of 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.

22.—(1.) The Minister may, by notice published in the *Gazette*, from time to time declare— Evidence of certain matters.

- (a) who are the High Contracting Parties to the Convention;
- (b) the territory in respect of which any such Party is bound by the Convention; and
- (c) the extent (if any) to which any Party has availed himself of the provisions of the Additional Protocol to the Convention.

(2.) A notice in force under this section is evidence of the matters declared.

(3.) A notice published by the Governor-General in the *Gazette*, before the date of commencement of this Part, under sub-section (3.) of section three of the *Carriage by Air Act* 1935 and in force immediately before that date shall, for the purposes of this Act, be deemed to be a notice published by the Minister under this section.