

law in the Union in relation to any carriage by air to which the Convention applies, irrespective of the nationality of the aircraft performing the carriage.

(2) The Governor-General may from time to time by proclamation in the *Gazette* declare who are the High Contracting Parties to the Convention, in respect of what territories they are respectively parties and to what extent they have availed themselves of the provisions of the Additional Protocol to the Convention, and any such proclamation shall, except in so far as it has been varied or superseded by a subsequent proclamation, be conclusive evidence of the matters so declared.

(3) Any reference in the said Schedule to the territory of any High Contracting Party to the Convention shall be construed as a reference to the territories subject to his sovereignty, suzerainty, mandate or authority, in respect of which he is a party.

(4) Not more than one action shall be brought in the Union to enforce liability under Article seventeen of the said Schedule in respect of the death of any one passenger, and every such action, by whomsoever brought, shall be for the benefit of all such persons entitled to sue for damages in respect of the death of that passenger as either are domiciled in the Union or, if not so domiciled, have indicated their desire to take the benefit of the action.

(5) Subject to the provisions of sub-section (6) the amount recovered in any such action shall be divided between the successful claimants in such manner as the court may deem just.

(6) The court in which any such action is brought may, at any stage of the proceedings—

(i) issue a rule calling upon interested parties to join in the action within a specified period;

(ii) make such order as appears to the court to be just and equitable in view of the provisions of the said Schedule limiting the liability of a carrier and of any proceedings which have been or are likely to be commenced outside the Union in respect of the death of the passenger in question.

(7) Any sum in francs mentioned in Article twenty-two of the said Schedule shall, for the purposes of any action against a carrier, be converted into Union currency at the rate of exchange prevailing on the date on which the amount of any damages to be paid by the carrier is ascertained by the court.

4. Every High Contracting Party to the Convention who has not availed himself of the provisions of the Additional Protocol thereto shall, for the purposes of any action brought in a court in the Union in accordance with the provisions of Article twenty-eight of the Schedule to this Act, to enforce a claim in respect of carriage

Provisions as to actions against High Contracting Parties who undertake carriage by air.