

(3.) The liability of the carrier under this Part in respect of the baggage, other than registered baggage, of any one passenger is limited to the sum of Ten pounds or such higher sum as is specified in the contract of carriage.

Contracting
out.

32.—(1.) Any provision of an agreement tending to relieve the carrier of liability in accordance with this Part or to fix a lower limit than the appropriate limit of liability provided by this Part is null and void, but the nullity of such a provision does not involve the nullity of the whole contract of carriage.

(2.) The last preceding sub-section does not apply to provisions governing loss or damage resulting from the inherent defect, quality or vice of goods carried.

Servants and
agents of
carrier.

33.—(1.) If an action in respect of any damage is brought against a servant or agent of a carrier, the servant or agent, if he proves that he acted within the scope of his employment or authority, is entitled to avail himself of the limits of liability, if any, which the carrier himself would be entitled to invoke under section thirty-one of this Act in an action against him in respect of that damage.

(2.) The aggregate of the amounts recoverable from the carrier, his servants and agents shall not exceed the limits referred to in the last preceding sub-section.

(3.) The right to bring an action against a servant or agent of a carrier in respect of any damage, being damage which gave rise to a cause of action against the carrier under this Part, is extinguished if the action is not brought within the time specified in the next succeeding section.

Limitation of
actions.

34. The right of a person to damages under this Part is extinguished if an action is not brought by him or for his benefit within two years after the date of arrival of the aircraft at the destination, or, where the aircraft did not arrive at the destination—

(a) the date on which the aircraft ought to have arrived at the destination; or

(b) the date on which the carriage stopped,

whichever is the later.

Liability
in respect of
death.

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

(2.) Subject to section thirty-seven of this Act, the liability under this Part 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.