

6. Section sixteen of the Principal Act is amended by adding at the end thereof the following sub-section:—

Contributory negligence.

“(6.) Where any case to which sub-section (2.) of this section applies is tried with a jury, the jury shall determine the damages referred to in sub-section (3.) of this section and the amount of the reduction under sub-section (4.) of this section.”.

7. After Part III. of the Principal Act the following Part is inserted:—

“PART IIIA.—CARRIAGE TO WHICH THE GUADALAJARA CONVENTION APPLIES.

“25A. The provisions of the Guadalajara Convention have, subject to Parts II. and III. of this Act as affected by the next succeeding section, the force of law in Australia in relation to any carriage by air to which that Convention applies.

Provisions of Convention to have force of law.

“25B. In relation to carriage to which the Guadalajara Convention applies, references in Part II. (other than section eleven) and in Part III. (other than section twenty-one) to ‘the Convention’ shall be read as including references to the provisions of the Guadalajara Convention as having the force of law by virtue of this Part.

Modification of Parts II. and III

“25C.—(1.) The Minister may, by notice in the *Gazette*, from time to time publish information as to the coming into operation of the Guadalajara Convention or as to the States that have or have not taken any action referred to in Article XI, XII, XIV, XV or XVI of that Convention and as to the particulars of any action so taken.

Evidence of certain matters.

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

8. Section twenty-seven of the Principal Act is amended by omitting from sub-section (1.) all the words after paragraph (d) and inserting in their stead the words—

Application of Part IV.

“not being carriage to which the Warsaw Convention, the Hague Protocol or the Guadalajara Convention applies”.

9. Section thirty-nine of the Principal Act is amended by adding at the end thereof the following sub-section:—

Contributory negligence.

“(5.) Where any case to which sub-section (1.) of this section applies is tried with a jury, the jury shall determine the damages referred to in sub-section (2.) of this section and the amount of the reduction under sub-section (3.) of this section.”.

10. The Principal Act is amended by adding at the end thereof the following Schedule:—

Third Schedule.

[Omitted]