

PART II.—CARRIAGE IN AIRCRAFT OPERATED BY THE COMMONWEALTH OR A COMMONWEALTH AUTHORITY.

6.—(1.) This Part applies to the carriage of a passenger in an aircraft operated by the Commonwealth or a Commonwealth authority, not being carriage to which Part IV. of the *Civil Aviation (Carriers' Liability) Act 1959-1962* applies.

Application of Part.

(2.) This Part does not apply in relation to the death of, or injury to, a person in circumstances entitling any dependant of the person, or the person, to pension under the *Repatriation Act 1920-1962*, the *Repatriation (Far East Strategic Reserve) Act 1956-1962* or the *Repatriation (Special Overseas Service) Act 1962*.

7. Subject to this Part, the following provisions of the *Civil Aviation (Carriers' Liability) Act 1959-1962*, namely, section twenty-eight, sub-section (1.) of section thirty-two, sections thirty-three and thirty-four, section thirty-five (other than sub-section (2.)) and sections thirty-seven to thirty-nine (inclusive) apply to and in relation to carriage to which this Part applies as if those provisions were incorporated in this Part and as if—

Application of certain provisions of *Civil Aviation (Carriers' Liability) Act 1959-1962*.

- (a) references in those provisions to a carrier or the carrier were references to the Commonwealth or the Commonwealth authority by which the aircraft was being operated, as the case requires;
- (b) references in those provisions to Australia included references to the Territories of the Commonwealth; and
- (c) the reference in section thirty-three of that Act to section thirty-one of that Act were a reference to section eight of this Act.

8.—(1.) The maximum liability of the Commonwealth or a Commonwealth authority under this Part in respect of any one person, by reason of his death or injury, is Seven thousand five hundred pounds.

Limitation of amount recoverable under this Part.

(2.) The amount of any damages recoverable but for this sub-section by a person from the Commonwealth or a Commonwealth authority by virtue of this Part in respect of a death or injury shall be reduced by any amount received or receivable by that person in consequence of the death or injury by reason of—

- (a) insurance effected for the benefit of the deceased or injured person or his estate by the Commonwealth or the Commonwealth authority; or
- (b) insurance effected by the deceased or injured person that is referable to an allowance granted by the Commonwealth or the Commonwealth authority for the purpose of enabling him to effect such insurance.

9.—(1.) Subject