

PART III.—CARRIAGE IN AIRCRAFT NOT OPERATED BY THE
COMMONWEALTH OR A COMMONWEALTH AUTHORITY.

11.—(1.) Subject to this section, this Part applies to the carriage in an aircraft operated by a person other than the Commonwealth or a Commonwealth authority of a passenger being—

Application
of Part.

(a) a person who is—

- (i) an employee within the meaning of the *Commonwealth Employees' Compensation Act* 1930–1962 or a person to whom that Act applies as if he were such an employee; or
- (ii) a seaman to whom the *Seamen's Compensation Act* 1911–1960 applies, being a seaman employed by the Commonwealth or a Commonwealth authority,

and is travelling in the course of his employment by the Commonwealth or a Commonwealth authority;

(b) a person the cost of whose carriage has been, or is to be, borne by the Commonwealth or a Commonwealth authority; or

(c) a person travelling by air for the purposes of the Commonwealth or of a Commonwealth authority in pursuance of arrangements made or authority given by the Commonwealth or the Commonwealth authority.

(2.) This Part does not apply to carriage to which Part IV. of the *Civil Aviation (Carriers' Liability) Act* 1959–1962 applies or to which any provisions of a State Act for the time being declared by the Treasurer by notice in the *Gazette* to correspond with the provisions of that Part apply.

(3.) 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.

12. Subject to this Part, where this Part applies to the carriage of a person, the Commonwealth, or, if the person is employed by a Commonwealth authority or a Commonwealth authority has borne, or is to bear, the cost of his carriage or has arranged for or authorized his carriage, that Commonwealth authority, is liable for damage sustained by reason of the death of that person or any personal injury suffered by that person resulting from an accident that took place on board the aircraft or in the course of any of the operations of embarking or disembarking.

Liability of
Common-
wealth, &c.,
for death
or injury.

13. Subject