

l) the documents delivered to the carrier that are to accompany the bill of lading;

m) the length of time and summary description of the route to be followed if such has been stipulated.

Art. 78. If the carrier accepts the shipment without the proper bill of lading, or if it does not fulfill all the requirements of the preceding article, from clause a) to clause h), inclusive, he shall not be entitled to avail himself of the provisions of this Code which exclude or limit his liability.

Art. 79. The shipper shall be answerable for the accuracy of the statements and declarations stipulated on the bill of lading, and for the damage which, by reason of his statements and declarations, if they are incorrect, inexact, or incomplete, may cause loss to the carrier or to any other person.

Art. 80. The bill of lading, absent proof to the contrary, shall be evidence of the execution of the contract, of the receipt of the shipment, and of the terms of carriage.

Art. 81. The statements on the bill of lading with respect to weight, measurements, and packaging of the shipment, as well as the number of pieces, shall be conclusive, absent proof to the contrary; those relating to quantity, dimensions and condition of the shipment may be used as evidence only against the carrier, if, in this respect, the carrier ascertained them in the presence of the shipper and noted them on the bill of lading.

Art. 82. The absence, incorrectness, or loss of the bill of lading shall not preclude the existence or validity of the contract of carriage, and it shall remain subject to the rules of this Code providing the terms of Article 78 are observed.

CHAPTER V—CIVIL LIABILITY

FIRST SECTION—CONTRACTUAL LIABILITY

Art. 83. The carrier shall be liable for any damage resulting from the death or bodily injury of a passenger by accidents occurring on board an aircraft while in flight, or while in the operations of boarding or leaving the aircraft, when they are the result:

- a) of a defect in the aircraft;
- b) of negligence of the crew.

Sole Paragraph. In cases of gratuitous transportation or carriage of a complimentary nature, responsibility shall be limited to those injuries resulting from intent or gross negligence.

Art. 84. The carrier shall be liable for any damage resulting from the destruction, loss, or damage of the baggage shipped, or of the merchandise, in accidents occurring during transportation by air.

Art. 85. Air transportation, for purposes of the preceding article, shall encompass the time during which the baggage or the merchandise are within the control of the carrier, whether at the airport, on board the aircraft, or some other place in the event of a landing outside of an airport.

Art. 86. Air transportation shall not embrace transportation by land, by sea, or on navigable waters, effected outside of an airport.