

16. The President of the Union may, by notification in the Gazette, declare that any or all of the provisions of the Sea Customs Act shall, with such modifications and adaptations as may be specified in the notification, apply to the import and export of goods by air.

Power to apply customs procedure.

17. No suit shall be brought in any civil Court in respect of trespass or in respect of nuisance by reason only of the flight of aircraft over any property at a height above the ground which having regard to wind, weather and all the circumstances of the case is reasonable, or by reason only of the ordinary incidents of such flight.

Bar of certain suits.

18. No suit, prosecution or other legal proceeding shall lie against any person for anything in good faith done or intended to be done under this Act.

Saving for acts done in good faith under the Act.

19. (1) [Except as otherwise provided in section 16, nothing]¹⁴ in this Act or in any order or rule made thereunder shall apply to or in respect of any aircraft belonging to or exclusively employed in [the Burma]¹ naval, military or airforces, or to any person in such forces employed in connection with such aircraft.

Saving of application of Act.

(2) Nothing in this Act or in any order or rule made thereunder shall apply to or in respect of any lighthouse to which the Burma Lighthouse Act applies or prejudice or affect any right or power exercisable by any authority under that Act.

THE BURMA CARRIAGE BY AIR ACT¹⁵

[INDIA ACT XX, 1934.] (18th February, 1935)

Whereas a Convention for the unification of certain rules relating to international carriage by air (hereinafter referred to as the Convention) was, on the 12th day of October, 1929, signed at Warsaw; It is hereby enacted as follows:—

Preamble.

1. * * * *

2. (1) The rules contained in the First Schedule, being the provisions of the Convention relating to the rights and liabilities of carriers, passengers, consignors, consignees and other persons, shall, subject to the provisions of this Act, have the force of law in the Union of Burma in relation to any carriage by air to which those rules apply, irrespective of the nationality of the aircraft performing the carriage.

Application of the Convention to the Union of Burma.

(2) The President of the Union may, by notification in the Gazette, certify who are the High Contracting Parties to the Convention, in respect of what territories they are parties, and to what extent they have availed themselves of the Additional Protocol to the Convention

¹⁴ Substituted Act 2VIII, 1948.

¹⁵ The Burma Code, vol. VII, p. 69.