

and any such notification shall be conclusive evidence of the matters certified therein.

(3) Any reference in the First Schedule to the territory or any High Contracting Party to the Convention shall be construed as a reference to all the territories in respect of which he is a party.

(3A) ¹⁶ Any reference in the First Schedule to the agents of the carrier shall be construed as including a reference to the servants of the carrier.

(4) Notwithstanding anything contained in the Fatal Accidents Act, or any other enactment or rule of law in force in any part of the Union of Burma, the rules contained in the First Schedule shall, in all cases to which those rules apply, determine the liability of a carrier in respect of the death of a passenger, and the rules contained in the Second Schedule shall determine the persons by whom and for whose benefit and the manner in which such liability may be enforced.

(5) Any sum in francs mentioned in rule 22 of the First Schedule shall, for the purpose of any action against a carrier, be converted into rupees at the rate of exchange prevailing on the date on which the amount of damages to be paid by the carrier is ascertained by the Court.

Provisions
regarding
suits against
High
Contracting
Parties who
undertake
carriage by
air.

3. (1) Every High Contracting Party to the Convention who has not availed himself of the provisions of the Additional Protocol thereto shall, for the purposes of any suit brought in a Court in the Union of Burma in accordance with the provisions of rule 28 of the First Schedule to enforce a claim in respect of carriage undertaken by him, be deemed to have submitted to the jurisdiction of that Court and to be a person for the purposes of the Code of Civil Procedure.

(2) The High Court may make rules of procedure providing for all matters which may be expedient to enable such suits to be instituted and carried on.

(3) Nothing in this section shall authorize any Court to attach or sell any property of a High Contracting Party to the Convention.

Application
of Act to
carriage by
air which
is not
international.

4. The President of the Union may, by notification in the Gazette, apply the rules contained in the First Schedule and any provision of section 2 to such carriage by air, not being international carriage by air as defined in the First Schedule, as may be specified in the notification, subject however to such exceptions, adaptations and modifications, if any, as may be so specified.

¹⁶ Inserted by Act XXVIII, 1951.