

(b) on and after that day, the Convention set out in the First Schedule to the said Act of 1961,

but, in relation to rights or liabilities arising out of an occurrence before that day, "the Warsaw Convention" shall continue to have the same meaning as before that day.

(2) In Articles VII and VIII in the Schedule to this Act "court" includes (in an arbitration allowed by the Conventions referred to in the foregoing subsection or by Article IX, 3 in the Schedule to this Act) an arbitrator.

(3) In the application to Scotland of the Schedule to this Act and of the foregoing provisions of this section, for references to an arbitrator and a plaintiff there shall be substituted respectively references to an arbiter and a pursuer.

Application
of provisions
of Acts of
1961 and 1932.

3.—(1) In paragraph (a) of subsection (1) and in subsections (2) and (3) of section four of the said Act of 1961 (which explain the limitations on liability in Article 22 in the First Schedule to that Act and enable a court to make appropriate orders and awards to give effect to those limitations) references to the said Article 22 shall include, subject to any necessary modifications, references to Article VI in the Schedule to this Act.

(2) In section five of the said Act of 1961 (which limits the time for bringing proceedings against a carrier's servant or agent and to obtain contribution from a carrier) references to a carrier include references to an actual carrier as defined in paragraph (c) of Article I in the Schedule to this Act as well as to a contracting carrier as defined in paragraph (b) of that Article.

(3) In section eight of the said Act of 1961 (which relates to actions against States brought in the United Kingdom in accordance with Article 28 in the First Schedule to that Act) and in section two of the said Act of 1932 (which contains corresponding provisions) the reference to Article 28 shall include a reference to Article VIII in the Schedule to this Act.

Interim
protection for
carriers'
servants and
agents.

4. Article V in the Schedule to this Act, and so much of Article VI in that Schedule as limits the aggregate amount which can be recovered from a carrier and his servants and agents, shall, in relation to rights or liabilities arising out of an occurrence before the day on which Article 25A in the First Schedule to the said Act of 1961 (to which those provisions are supplementary) comes into force, apply not only in relation to carriage performed by an actual carrier and to the persons mentioned in those provisions but also in relation to any other carriage governed by the Convention set out in the First Schedule to the said Act of 1932 and to any carrier under that Convention and his servants and agents.