

may at any stage of the proceedings make any such order as appears to the court to be just and equitable in view of the provisions of the said Article 22, and of any other proceedings which have been, or are likely to be, commenced in the United Kingdom or elsewhere to enforce the liability in whole or in part.

(3) Without prejudice to the last foregoing subsection, a court before which proceedings are brought to enforce a liability which is limited by the said Article 22 shall, where the liability is, or may be, partly enforceable in other proceedings in the United Kingdom or elsewhere, have jurisdiction to award an amount less than the court would have awarded if the limitation applied solely to the proceedings before the court, or to make any part of its award conditional on the result of any other proceedings.

(4) The Minister of Aviation may from time to time by order made by statutory instrument specify the respective amounts which for the purposes of the said Article 22, and in particular of paragraph (5) of that Article, are to be taken as equivalent to the sums expressed in francs which are mentioned in that Article.

(5) References in this section to the said Article 22 include, subject to any necessary modifications, references to that Article as applied by Article 25A.

Time for
bringing
proceedings.

5.—(1) No action against a carrier's servant or agent which arises out of damage to which the Convention relates shall, if he was acting within the scope of his employment, be brought after more than two years, reckoned from the date of arrival at the destination or from the date on which the aircraft ought to have arrived, or from the date on which the carriage stopped.

(2) Article 29 in the First Schedule of this Act shall not be read as applying to any proceedings for contribution between tortfeasors, but no action shall be brought by a tortfeasor to obtain a contribution from a carrier in respect of a tort to which the said Article 29 applies after the expiration of two years from the time when judgment is obtained against the person seeking to obtain the contribution.

(3) The foregoing provisions of this section and the provisions of the said Article 29 shall have effect as if references in those provisions to an action included references to an arbitration; and subsections (3) and (4) of section twenty-seven of the Limitation Act, 1939, or, in Northern Ireland, subsections (2) and (3) of section seventy-two of the Statute of Limitations (Northern Ireland), 1958 (which determine the time at which an arbitration is deemed to be commenced), shall apply for the purposes of this subsection.

Contributory
negligence.

6. It is hereby declared that for the purposes of Article 21 in the First Schedule to this Act the Law Reform (Contributory Negligence) Act, 1945 (including that Act as applied to Scotland), and section two of the Law Re-