

1959/2



THE AIR FORCE REGULATIONS 1952, AMENDMENT NO. 1

COBHAM, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 9th day of January 1959

Present:

THE RIGHT HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Royal New Zealand Air Force Act 1950, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Air Force Regulations 1952, Amendment No. 1, and shall be read together with and deemed part of the Air Force Regulations 1952* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the date of the making thereof.

2. The principal regulations are hereby amended by inserting, after regulation 287, the following heading and regulation:

“Commercial Aircraft Services

“287A. (1) Where, pursuant to section 144 of the Air Force Act, the Air Force operates any aircraft for hire or reward, then, except as hereinafter provided, no claim shall be made against the Crown in respect of the bodily injury to, or the death of, any passenger if the accident which caused the injury or death took place while the passenger was on board the aircraft or in the course of any of the operations of embarking on or leaving from the aircraft, except—

“(a) By the passenger; or

“(b) In the case of the death of the passenger, by or for the benefit of the wife or husband and the parents and children of the passenger under and in accordance with the Deaths by Accidents Compensation Act 1952, or by the personal representative of the passenger.

*S.R. 1952/155

“(2) No claim in respect of the matters aforesaid shall be made for a larger sum than £5,000, and not more than one action shall lie for the same subject-matter of complaint.

“(3) For the purposes of this regulation the term ‘passenger’ includes any person carried or intended to be carried on an aircraft other than a person who is a member of the crew of the aircraft.”

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations provide for a limit of liability of £5,000 in respect of claims for personal injury to or the death of any passenger while travelling in an aircraft of any commercial aircraft service operated by the Air Force.

Issued under the authority of the Regulations Act 1936.
Date of notification in *Gazette*: 15 January 1959.
These regulations are administered in the Air Department.