

Serial Number 1947/18



**THE NEW ZEALAND NATIONAL AIRWAYS
REGULATIONS 1947**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 25th day of
February, 1947

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the New Zealand National Airways Act, 1945, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the New Zealand National Airways Regulations 1947.

2. Nothing in these regulations shall apply in any case where the Carriage by Air Act, 1940, or any regulation made under that Act applies.

3. (1) Save as hereinafter provided, no claim shall be made against the Corporation in respect of a personal injury to, or the death of, any passenger caused by any occurrence on board an aircraft during flight or caused by any occurrence in the course of any of the operations of emplaning or deplaning at an aerodrome, except—

(a) By the passenger ; or

(b) In the case of the death of the passenger, by or for the benefit of the wife, husband, parent, and child of the passenger under and in accordance with the Deaths by Accidents Compensation Act, 1908, or by the personal representative of the passenger.

(2) No claim in respect of the matters aforesaid made by or for the benefit of any of the persons aforesaid shall be made for a larger sum than £5,000.

(3) The Corporation may by express contract in writing, on payment of such additional fare or other consideration as may be determined by the Corporation, agree that, notwithstanding the foregoing provisions of this regulation,—

(a) Some person other than a person mentioned in subclause (1) of this regulation shall be entitled to make a claim in respect of the personal injury to or death of a passenger caused by an occurrence such as is referred to in that subclause :

(b) A claim such as is referred to in these regulations may be made for a larger sum than £5,000.

(4) Nothing in these regulations shall be deemed to alter the status or extend in any respect the liability of the Corporation as a common carrier of passengers.

(5) For the purposes of this regulation the expression “ aerodrome ” means any definite and limited ground or water area intended to be used, either wholly or in part, for the landing or departure of aircraft.

W. O. HARVEY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette* : 27th day of February, 1947.
These regulations are administered in the Air Department.