



Application of
the Convention for the Unification of Certain Rules for
International Carriage by Air
(Montreal Convention 1999)
in Hong Kong

18 May 2006



Introduction

- Traffic volume
- Incorporation of conventions in Hong Kong
- Applicable conventions
- Changes in air cargo liabilities
- Status of implementing MC99



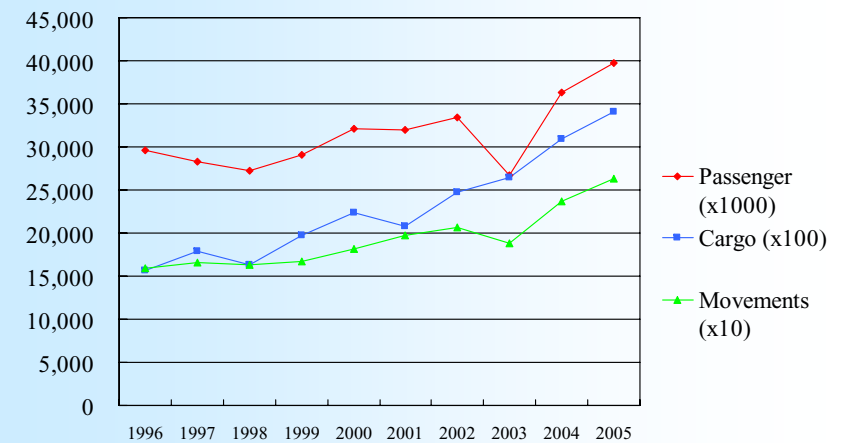
Traffic at HKIA

In 2005 :

- Passenger – 39.8 million
- Cargo – 3.4 million tonnes
- Aircraft movements – 264K



Traffic at Hong Kong International Airport





Implementation of international conventions in Hong Kong

- Decision to ratify a convention
- Decide application to domestic traffic
- Formulation of incorporating legislation
- Passing of legislation by the Legislative Council
- Notification of applicability to depository authority by State



Applicable conventions in respect of carrier liabilities in Hong Kong

- Warsaw Convention 1929
- Hague Protocol 1955 (Amended Convention)
- Guadalajara Convention 1961



Corresponding Legislation in Hong Kong

- Carriage by Air Ordinance (Cap. 500)
- The Carriage by Air (Amendment) Ordinance 2005 was published in gazette in Nov. 2005. An effective date is to be advised pending the ratification process.
- The Montreal Convention 1999 would effective in Hong Kong soon.



Changes in Air Cargo Liabilities

- Existing
 - Baggage : maximum of 5,000 francs (=332 SDR)
 - Cargo : 250 francs/kg (=17 SDR/kg)
- MC99
 - Baggage : maximum of 1,000 SDR
 - Cargo : 17 SDR/kg
 - Advance payment



E-freight

- Article 4 of MC99 provides for substitution means other than an air waybill to be delivered.
- Article 6 of MC99 provides for documentary requirements, if required, for customs, police purposes.
- Exception on transportation of dangerous goods (DG)
 - Technical Instructions for the Safe Carriage of DG by Air of ICAO require DG to be accompanied by paper form document.
 - Adopted in Cap. 384 of the Hong Kong Laws.



Thank you

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