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Montreal Convention airfreight warning

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THE Montreal Convention came into effect in mid January, Andrew Hudson and Russell Wiese of law firm Hunt & Hunt have advised.

Dealing with air carriers' liability for damage, loss or injury, to passengers, luggage and cargo, including through delay, the Montreal Convention updates the 1929 Warsaw Convention.

For cargo, the new regime will apply during the period the cargo is in the charge of the carrier and extends to carriage by land, sea or inland waterway within an airport and in other limited circumstances.

"Liability for destruction, loss, damage or delay to cargo is set at 17 SDRs (approximately \$39) per kilogram unless the consignor made a special declaration of interest at the time the cargo was handed over to the carrier," the lawyers said.

"This is the same limit as under some versions of the Warsaw Convention but is greater than under the original Warsaw Convention."

They warned that the convention would apply regardless of whether reference was made in a carrier's terms and conditions.