

INTERNATIONAL CONFERENCE ON THE
REVISION OF THE ATHENS
CONVENTION RELATING TO THE
CARRIAGE OF PASSENGERS AND THEIR
LUGGAGE BY SEA, 1974
Agenda item 6

LEG/CONF.13/9/Corr.1
19 September 2002
Original: ENGLISH

**CONSIDERATION OF A DRAFT PROTOCOL OF 2002 TO
AMEND THE ATHENS CONVENTION RELATING TO THE
CARRIAGE OF PASSENGERS AND THEIR LUGGAGE BY SEA,
1974**

WILFUL MISCONDUCT

Submitted by Australia and Norway

- 1 In LEG/CONF.13/9, paragraph 11, the sentence “However, national implementations of this insurance requirement expressly prohibit the wilful misconduct defence” should read: “However, national compulsory insurance requirements in aviation may prohibit the wilful misconduct defence.”
- 2 The United States regulation referred to in footnote 5 implements the predecessors of the Montreal Convention, and does not use the words "willful misconduct." However, this serves as a good example of legislation that disallows certain defences of the insurer in compulsory passenger insurance.
- 3 We apologize for the inconvenience this error may have caused.