

LEGAL COMMITTEE – 33RD SESSION

(Montréal, 21 April – 2 May 2008)

PROPOSED TEXT FOR REVISED ARTICLE 19, PARAGRAPH 3

(Presented by Japan)

ARTICLE 19

3. If insurance in respect of the damage covered by the Convention is wholly or partially unavailable with respect to amounts of coverage or the risks covered, or is only available at a cost incompatible with the continued operation of air transport, whether generally or, in relation to a particular operator, following an event affecting that operator, the Conference of Parties may decide that the Supplementary Compensation Mechanism shall in respect of future events causing damage compensable under this Convention, provide financial support to operators for the payment of damages for which they are liable according to Articles 3 and 4. The Conference of Parties may decide on a fee, the payment of which, for the period covered, shall be a condition for access to the protection given by such decision.

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