

Tanggung jawab pengangkut udara terhadap kerugian penumpang dan pihak ketiga di permukaan bumi

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Abstrak

Article 24 and 29 of Air Operator Ordinance 1939 and article 17 and 18 of Warsaw Convention 1929 follow air operator principle of presumption of liability. The provision mentioned above give more attention to protection of air operator rather than passenger and does not regulate air operator for liability against third party injury. In recent development, the Act No. 15 of 1992 on Flight has adopted absolute liability principle and presumption of liability principle is no longer can be maintained as well as the principle of air operator liability on injury that is faced by third party is no relevant anywhere. The Warsaw Convention of 1929 has been amended and it adopts absolute liability principle as effort to provide more protection to passenger and third party.