

the servant or agent done with intent to cause damage or recklessly and with knowledge that damage would probably result.

*Article 31 — Timely Notice of Complaints*

1. Receipt by the person entitled to delivery of checked baggage or cargo without complaint is *prima facie* evidence that the same has been delivered in good condition and in accordance with the document of carriage or with the record preserved by the other means referred to in paragraph 2 of Article 3 and paragraph 2 of Article 4.
2. In the case of damage, the person entitled to delivery must complain to the carrier forthwith after the discovery of the damage, and, at the latest, within seven days from the date of receipt in the case of checked baggage and fourteen days from the date of receipt in the case of cargo. In the case of delay, the complaint must be made at the latest within twenty-one days from the date on which the baggage or cargo have been placed at his or her disposal.
3. Every complaint must be made in writing and given or dispatched within the times aforesaid.
4. If no complaint is made within the times aforesaid, no action shall lie against the carrier, save in the case of fraud on its part.

*Article 32 — Death of Person Liable*

In the case of the death of the person liable, an action for damages lies in accordance with the terms of this Convention against those legally representing his or her estate.

*Article 33 — Jurisdiction*

1. An action for damages must be brought, at the option of the plaintiff, in the territory of one of the States Parties, either before the court of the domicile of the carrier or of its principal place of business, or where it has a place of business through which the contract has been made or before the court at the place of destination.
2. In respect of damage resulting from the death or injury of a passenger, an action may be brought before one of the courts mentioned in paragraph 1 of this Article, or in the territory of a State Party in which at the

ler undladelse fra den ansattes eller fra agentens side vel vidende, at skaden kunne opstå.

*Artikel 31 - Rettidig indgivelse af klager*

1. En kvittering uden forbehold fra den person, som har ret til at få indchecket bagage eller gods udleveret, betragtes umiddelbart som bevis på, at bagagen eller godset er blevet leveret i god behold i overensstemmelse med transportdokumentet eller en anden form for registrering, jf. artikel 3, stk. 2, og artikel 4, stk. 2.
2. I tilfælde af skade skal den udleveringsberettigede klage til bemanderen umiddelbart efter, at skaden er opdaget, og senest inden syv dage efter modtagelsen, når det gælder indcheckt bagage, og 14 dage efter modtagelsen, når det drejer sig om gods. Ved forsinkelse skal klagen afgives senest inden 21 dage fra den dag, hvor bagagen eller godset blev stillet til rådighed for modtageren.
3. Enhver klage skal ske skriftligt og afgives eller afsendes inden for de nævnte frister.
4. Fremsættes der ingen klager inden for de nævnte frister, kan bemanderen ikke drages til ansvar, medmindre denne har gjort sig skyldig i svig.

*Artikel 32 - Den erstatningspligtiges død*

Ved den erstatningspligtiges død kan der på denne konventions betingelser anlægges erstatningssag mod den, der retmæssigt repræsenterer vedkommendes bo.

*Artikel 33 - Jurisdiktion*

1. Erstatningssager anlægges på en af de kontraherende staters territorium, hvor de efter sagsøgerens valg indbringes for domstolen enten der, hvor bemanderen har hjemsted eller hovedkontor, eller der, hvor bemanderen har det kontor, som afsluttede kontrakten, eller på bestemmelsesstedet.
2. Erstatningssager i forbindelse med en passagers død eller tilskadekomst kan indbringes for domstolen på de steder, som er nævnt i stk. 1 i denne artikel, eller i den kontraherende stat hvor passageren på ulykkestidspunk-