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LEGAL REGULATION OF SAFETY OF PASSENGERS OF AIR TRANSPORT

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Ukraine's active integration into the world and European space significantly affects the development of transport infrastructure. Every year the demand for air transportation is growing, because it is primarily due to speed and comfort. That is why the issue of safety of passengers of air transport is acute. It should be noted that air transport and air transportation are characterized by a plurality of regulations of both national and international legislation.

The Air Code of Ukraine states that air transportation is carried out on the basis of an agreement between the air carrier and the passenger. Documents regulating the air transportation of the passenger are a paper or electronic ticket, as well as when transporting the passenger's baggage – a baggage receipt [1].

In 2021, the state's flight safety program was approved. This program provides for the introduction of a set of measures aimed at preventing the occurrence of aviation accidents, in particular by establishing flight safety criteria; establishing an acceptable level of flight safety; implementation of state supervision over subjects and objects of aviation activity; analysis and determination of the existing level of flight safety, etc. [2].

The Convention on the Unification of Certain Rules of International Air Transportation (Montreal Convention), which entered into force in Ukraine in 2009, stipulates that the carrier is responsible for the death or bodily injury of a passenger that occurred on board an aircraft or during the boarding or disembarkation of a passenger [3].

The air carrier is responsible for damage caused by delay in air transportation of passengers and baggage, unless it is proved, its employees and sales and/or service agents have taken all possible measures to avoid harm, or that it (they) was not able to take such measures. For improper transportation of passenger and baggage, the air carrier shall compensate only real losses proved by the passenger, but within the limits of liability for damage established by the Aviation Regulations [4].

In modern conditions, the issue of compensation for moral damage that may be caused to the

passenger by the air carrier in connection with non-fulfillment or improper fulfillment of its obligations is quite relevant. However, the Montreal Convention, the Air Code of Ukraine, the terms of the contract of carriage do not provide for norms for compensation for moral damage, but the issue of the form, grounds and amount of liability of the air carrier is fully regulated [5].

Thus, after the analysis of a number of regulatory acts, it should be noted that the legislation of Ukraine contains norms aimed at ensuring the safety of air passengers, however, along with this, the issue of payment of compensation to passengers and moral damage, which requires further settlement both at the local and international level, is quite acute.

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