



Eatons

Argument that Balloon is an Aircraft Not Hot Air

A recent case found the court considering whether a hot-air balloon, which carried passengers on pleasure trips, was an aircraft under the law.

The case involved a man who was injured in 2003 when the balloon he was travelling in landed heavily.

In 2006, he commenced proceedings against the balloon's operator and one of the issues to be considered was whether the balloon could be categorised as an aircraft. If it could, the laws relating to carriage by air would apply. In the court's view a hot-air balloon was an aircraft for the purpose of the claim. Unfortunately for the claimant in this case, this meant that he was outside the two-year time limit for bringing such claims.

The case illustrates the importance of taking advice promptly if you suffer an injury. Delay can lead to a claim becoming 'out of time' for arguing through the courts.

For more information on all types of personal injury claim please contact Keith Massey on Tel: 01274 728 327.

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