

5. CHANGE WITHOUT NOTICE

Except as may be required by applicable laws, governmental regulations, orders or requirements, these Conditions of Carriage or NCA's Regulations are subject to change without notice; provided, however, that no such change shall apply to a contract of carriage after the date of issuance of the air waybill and ticket.

6. EFFECTIVE RULES

All carriage of cargo, passengers and/or baggage shall be subject to these Conditions of Carriage and NCA's Regulations in effect on the date of issuance of the air waybill and ticket by NCA.

II. CARRIAGE OF CARGO

[A. AIR WAYBILL]

7. PREPARATION BY SHIPPER

- (1) The shipper shall make out, or have made out on his behalf; an air waybill in the form, manner and number of copies prescribed by NCA, and shall deliver such air waybill to NCA simultaneously with the acceptance of the shipment by NCA for carriage. However charges for carriage and other charges, insofar as they have been ascertained, will be inserted in the air waybill by NCA.
- (2) NCA may require the shipper to make out, or have made out on his behalf, separate air waybills when there is more than one package or when all of the shipment cannot be carried in one aircraft or cannot, without breach of government requirements or regulations of NCA, be carried on one air waybill.

8. APPARENT ORDER AND CONDITION OF CARGO

If the apparent order and condition of the cargo and/or packing is not good, the shipper shall insert in the air waybill what the apparent order and condition is. However, if the shipper fails to do so, or if such statement is inaccurate, NCA may insert in the air waybill a statement of the apparent order and condition or note a correction thereon.

9. PREPARATION, COMPLETION OR CORRECTION BY CARRIER

NCA may at the request of the shipper, expressed or implied, make out the air waybill, in which event, subject to proof to the contrary, NCA shall be deemed to have done so on behalf of the shipper. If the air waybill handed over with the cargo does not contain all the required particulars, or if it contains any error, NCA completes or corrects it to the best of NCA's ability without being under any obligation to do so.

10. RESPONSIBILITY FOR PARTICULARS AND STATEMENTS

The shipper is responsible to NCA and all other persons for the correctness and completeness of the particulars and statements which he inserts in the air waybill, or which NCA inserts on his behalf. The shipper shall be liable for all damages suffered by NCA or any other person by reason of the irregularity,

incorrectness or incompleteness of said particulars or statements, whether the air waybill was made out by or on behalf of the shipper or by NCA (or completed by NCA) on behalf of the shipper pursuant to Article 9 above.

11. ALTERATION

NCA will not accept an air waybill, if any part of it is mutilated or if it has been altered or erased by other than the carrier.

[B. RATES AND CHARGES]

12. APPLICABLE RATES AND CHARGES

Except as otherwise provided in NCA's Regulations, applicable rates and charges for carriage governed by these Conditions of Carriage and NCA's Regulations are those duly published by NCA, and shall be those in effect on the date of issuance of the air waybill. When the rates or charges collected are not the applicable rates or charges, the difference will be refunded to or collected from the shipper or consignee, as may be appropriate.

13. AIRPORT TO AIRPORT

Except as otherwise provided in NCA's Regulations, rates and charges apply only for the carriage from airport of departure to airport of destination.

14. PRECEDENCE OF RATES AND CHARGES

Except as otherwise provided in NCA's Regulations, a through rate or charge published in NCA's Regulations takes precedence over the combination of intermediate rates or charges applicable between the same points via the same routings.

15. QUANTITY REDUCTIONS

When two or more rates subject to different minimum quantities are provided on the same commodity in the same shipping form from and to the same point over the same route, the lowest of the charges specified below will apply:

- (1) The charge computed on the quantity shipped at the rate applicable to such quantity.
- (2) The charge computed on the next greater quantity, for which a lower rate is provided at the rate applicable to such greater quantity.
- (3) The charge applicable to planeload shipments.

16. SERVICES NOT INCLUDED IN RATES AND CHARGES

Published rates and charges cover the carriage of shipments by air between airports or other landing places at or near the points shown in the published rates and charges. Except as otherwise specifically provided in NCA's Regulations, such published rates and charges do not include the following services and charges:

- (1) Pick-up, delivery and city terminal service to and from the airport from which NCA operates;