

proof thereof shall be submitted (Rules of Examination for Civil Air Pilots).

(2) As far as the ordinance provided for in paragraph 1 concerns the physical and mental fitness, it shall be issued in concurrence with the Federal Ministry of Social Administration.

Section 38. Examination Fees and Compensation for Examiners.

(1) Any person who undergoes a civil air pilot examination shall pay an examination fee. The examination fees shall be fixed by the Federal Ministry of Transport and Electric Power by ordinance, whereby the categories of civil air pilot certificates and the expenses involved in the examination shall be taken into account. The maximum examination fee may not exceed 1,500 schillings per candidate.

(2) Unless otherwise provided for in paragraph 3, the examiners shall be entitled to a compensation for each examination, the amount of which shall be fixed by the Federal Ministry of Transport and Electric Power by ordinance, taking into account the volume of examination activity and which may not exceed 50 schillings per candidate. In addition, the examiners shall be entitled to a compensation for traveling and living expenses as well as for any loss of earnings, in accordance with the provisions in force for jurors.

(3) Whether and to what extent Federal employees are entitled to a compensation for their examination activity shall depend on the service regulations concerning the granting of compensation for collateral activities.

Section 39. Recognition of Foreign Civil Air Pilot Certificates.

(1) Foreign civil air pilot certificates shall, upon application, be recognized by the Federal Civil Aviation Office by written decree, unless otherwise provided for by international agreement, if:

a) in the State concerned the legal requirements for obtaining a civil air pilot certificate are at least equal to the respective Austrian requirements with respect to age, reliability, fitness and qualification;

b) Austrian civil air pilot licenses are recognized in the respective other State.

(2) Foreign civil air pilot certificates held by Austrian citizens shall be recognized only if an investigation by the Federal Civil Aviation Office has established the reliability of the applicant (section 32).

(3) The provisions of section 33, paragraph 2 shall apply accordingly.

Section 40. Revocation and Prohibition.

(1) Permission to engage in the activities mentioned in section 25 shall be revoked by the Federal Civil Aviation Office and return of the identification documents issued therefor be prescribed when their holder is no longer fit or technically qualified to pilot a civil aircraft or is no longer reliable. The same shall apply if it is subsequently shown that one of these qualifications was lacking at the time of the issuance or validation of the permissions and that this defect continues to exist.

(2) The performance of the activities mentioned in section 25 shall be prohibited if, and as long as, this is necessary to prevent the person