

Chamber of Labor Diet as well as those of the operators of already approved airports shall be obtained.

(3) In the event that the establishment of an airfield is involved, the provincial governor shall give the communities concerned and the Chamber of Agriculture the opportunity to state their views on the project and shall obtain the views of the Federal Ministry of National Defense. A civil airdrome permit for a landing field may only be granted if the Federal Ministry of National Defense has taken a positive stand on the matter. The Federal Ministry of National Defense may refuse its consent if interests of national defense make this imperative. The granting of such a permit without previously obtaining the views of the Federal Ministry of National Defense or in conflict with such views shall constitute a defect rendering the permit null and void.

(4) Prior to the issuance of the decree concerning the civil airdrome permit, a hearing shall be held in each individual case. If a safety zone (section 86) is projected, the date of the hearing shall be published in each case by posting a notice on the bulletin board of the communities which are wholly or partly within the projected safety zone, notwithstanding the provisions of section 41 of the General Administrative Law of 1950. Should an expansion of the projected safety zone become necessary after the hearing was held, a new hearing shall be called.

Section 71. Conditions for Civil Airdrome Permit.

(1) A civil airdrome permit shall be granted if:

- a) the project is suitable from the technical point of view and safe operations may be expected,
- b) the applicant is reliable and qualified for the operation of the civil airdrome,
- c) the financial means of the applicant are such as to ensure that he can meet the obligations resulting from this Federal Law for the operator of an airfield, and
- d) there are no other conflicting public interests.

(2) An additional requirement for the issuance of a civil airdrome permit for public airports shall be the existence of a need for it. Airports may only be approved if their establishment is in the public interest. An airport shall not be considered in the public interest when:

- a) it is less than 100 kilometers airline distance from an already approved airdrome which is in operation and when it is likely to endanger the traffic functions of the latter, and
- b) the operator of the already existing airport is in a position and willing to undertake, within a period of six months, the functions envisaged for the planned airport.

Section 72. Decree on Civil Airdrome Permit.

(1) The decree concerning a civil airdrome permit shall establish:

- a) the types of aircraft which, with a view to traffic safety and useful organization of air traffic, may use this civil airdrome,
- b) the content of the safety zone ordinance, if any,
- c) the order to take out liability insurance up to a maximum amount of 40 million Schillings according to the volume of operation,