

BELGIUM

LAW OF JUNE 27, 1937, REVISING THE LAW OF NOVEMBER 16, 1919, CONCERNING REGULATION OF NAVIGATION IN THE AIR¹

CHAPTER I—GENERAL PROVISIONS

Article 1. For the application of this law there shall be deemed to be:

Aircraft, all machines able to fly in the atmosphere by reaction of the air;

Aircraft of the State, military aircraft or those used in services of the State, such as police or customs;

Private aircraft, all aircraft other than aircraft of the State;

Operator of an aircraft, any person who has the power of disposition over [an aircraft] and who uses it on his own account; in the case where the name of the operator is not registered in the aviation register or on any other official document, the proprietor shall be presumed to be the operator unless there is proof to the contrary;

Captain, any person given that power by the operator or, in his absence, the first pilot;

Airdrome, either any center of air traffic, including the installations necessary for such traffic, or any land or water surface equipped, even though only temporarily, for the land and take-off of aircraft.

Except where otherwise provided, the provisions of this law shall apply only to private aircraft.

Article 2. Navigation of national aircraft over the territory of the Kingdom shall be free except for the restrictions imposed by this law and those imposed by royal decree.

For the application of this law, the territory of the Kingdom shall include the territorial waters adjacent to such territory.

Article 3. Navigation of foreign aircraft over the territory of the Kingdom shall be subject to authorization by the Minister charged with the administration of aviation.

Such authorization shall not be required for navigation by aircraft registered in States with which pertinent reciprocal agreements have been concluded.

The flight of foreign military aircraft over the territory of the Kingdom shall be subject to authorization by the Minister of National Defense.

Article 4. The flight over all or part of the territory of the Kingdom may be prohibited by the King both to national and foreign aircraft.

Article 5. There shall be issued by royal decree all regulations concerning air navigation and particularly those in regard to aircraft, flight personnel, air navigation and traffic, public property and services concerned with such traffic, regulatory fees, taxes, levies, or dues to which the use of such public property and services is subject.

¹Published in *Moniteur belge*, July 26, 27, 1937.