

d) violates, or fails to comply with the provisions of the regulations pertaining to lights and signals as used by aircraft or ground units;

e) wrongfully throws substances or objects from an aircraft, or fails to observe the provisions respecting jettisoning;

f) violates the provisions relative to the duty of rescue.

Art. 165. There shall be imposed a fine of from five thousand cruzeiros (Cr\$5,000.00) to ten thousand cruzeiros (Cr\$10,000.00) upon any person who:

a) constructs airdromes, or any other ground unit of a permanent nature without the required authorization;

b) operates without the necessary franchise a scheduled line of air navigation.

Art. 166. There shall be imposed a fine of from ten thousand cruzeiros (Cr\$10,000.00) to fifty thousand cruzeiros (Cr\$50,000.00) upon any person who:

a) pilots over national territory, without special permission or international convention, any foreign aircraft;

b) flies wrongfully over restricted areas.

Art. 167. The penalties provided for in the preceding articles shall be imposed by the competent administrative authority and graduated according to the gravity of the violations.

Art. 168. Violations against the security of the means of transportation, which constitute a crime as provided in the penal laws, shall be punished under the respective laws.

Art. 169. Smuggling, when practiced in air transportation, shall be punished with twice the penalty provided in the pertinent laws.

Art. 170. The provisions of this Code shall not impair the penalties imposed by laws or regulations of a military, police, fiscal, sanitary or customs nature.

#### TRANSITIONAL PROVISIONS

Art. 171. Only in the absence of licensed Brazilian airmen, as provided in Art. 147 of this Code, shall there be admitted foreigners who are duly qualified, in a temporary manner and under stated conditions.

Art. 172. The Executive branch of the Government is hereby authorized to promulgate regulations pertaining to customs inspection in the field of air navigation, establishing such fines and other penalties that may be necessary and that are not provided for in this Code.

Art. 173. Any provisions to the contrary are hereby abrogated.

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PRESIDENTIAL DECREE NO. 46,124, DATED THE 26TH DAY OF MAY, 1959 <sup>1</sup>

Indicating the procedure for entering Brazil and flying over its territory by foreign aircraft not engaged in scheduled service

The President of the Republic, in the exercise of the prerogatives vested in him by Article 87, Paragraph I, of the Constitution decrees:

Article 1. The entry into and flight over Brazilian territory by any foreign aircraft not engaged in scheduled international airline serv-

<sup>1</sup> Published in Diário Oficial, May 29, 1959.