

plan of one or more communities, under consideration or approved, may be declared reserved by decree of the council of State after a public investigation in the form prescribed by the ordinance of October 23, 1958 concerning expropriation.

The provisions of Articles 31 and 31-1 of the Code on city planning and housing shall be applicable in such case.

The reservation of land may be executed by imposing aeronautical restrictions according to a clearance plan established under the provisions of Article 11 above.

Article 19. Decrees shall further define the methods of application of this title.

Article 20. Articles 23, 59, 72, 83, 112 and Title I of Book II of the Code of civil and commercial aviation are abrogated.

Article 21. The minister of public works, transportation and tourism, the keeper of the seal, the minister of justice, the minister of the armies, the minister of finance and economic affairs, the minister of the Interior, the minister of construction, the minister of agriculture and the minister of industry and commerce shall be in charge of executing this decree to the extent that it concerns each of them and the decree shall be published in the *Journal officiel* of the French Republic.

DECREE No. 59-62 OF JANUARY 3, 1959, RESTRAINING VIOLATIONS OF THE RULES ON AERONAUTICAL RESTRICTIONS ⁷

[Omissions.]

Article 1. Violations of the regulatory provisions concerning aeronautical restrictions of clearance and marking imposed in the interest of aerial navigation shall be punished by a fine of from 50,000 to 1,500,000 francs.

In the case of repetition such violations shall be punished by a fine of from 100,000 to 3 million francs and imprisonment of from six days to three months or by one of these penalties only.

Article 2. At the request of the public ministry, acting at the demand of the minister concerned, the court that has jurisdiction over the matter shall give to the persons who commit the violation of these provisions a time limit to remove or modify the things affected by the restrictions or to attend to their marking under penalty of a fine of from 1,000 to 10,000 francs for each day of delay.

In case such time limit is not observed, the restraint imposed by the court shall begin to run from the expiration of said time limit until the day when the situation is effectively remedied.

If such remedial action is not taken within the year when the time limit expires, the court, on the request of the public ministry acting under the same conditions, may one or more times raise the amount of the fine, even above the maximum provided for hereinbefore.

The court may authorize remittance of a part of the fines where remedial action has been taken and where the liable party establishes that he has been prevented from observing the time limit imposed on him by circumstances beyond his control.

Furthermore, when the situation has not been remedied at the expiration of the time limit set by the judgment, the administration may

⁷ *Journal officiel de la République Française*, January 8, 1959, p. 547.