

3. In cases where there has been an application for permission for the establishment of an airdrome, the Minister of Transportation shall notify the location and size of the airdrome, landing strip, approach area, approach surface, horizontal surface, transitional surface, scheduled commencement date of use and other matters specified by Ordinance of the Ministry of Transportation and post a notice thereof at the site.

4. Terms and conditions may be attached to permission under paragraph 1 and they shall be subject to change.

(Examination of Application)

Article 39. In cases where there has been an application under the preceding Article, the Minister of Transportation shall examine whether the application complies with each of the following items:

(1) The plan for establishment of the airdrome or air navigational aid including the location, structure, etc. shall comply with the standards stipulated by Ordinance of the Ministry of Transportation;

(2) The establishment of the airdrome or air navigational aid shall not seriously damage the interest of other persons;

(3) The plan for administration of the airdrome or air navigational aid shall comply with the technical standards provided for in Article 47, paragraph 1;

(4) The applicant shall be capable of establishing and administering the airdrome or air navigational aid;

(5) The applicant shall have ownership and other right of use in any airdrome as to its land or he may obtain them definitely.

2. The Minister of Transportation, when he makes an examination under the preceding paragraph with regard to a permission for the establishment of an airdrome, shall hold a public hearing and give any person who is interested in the establishment of the airdrome a chance to express his opinion on the establishment of the airdrome.

(Notification, etc., of Airdrome for Public Use)

Article 40. The Minister of Transportation, when he has given permission for the establishment of an airdrome for public use, shall notify the location and size of the airdrome, landing strip, approach area, approach surface, transitional surface, horizontal surface and scheduled commencement date of use, and post a notice thereof at the site.

(Completion of Airdrome Construction Work)

Article 41. Any person who has obtained a permission to establish an airdrome in accordance with the provision of Article 38, paragraph 1 (hereinafter referred to as "operator of an airdrome") shall complete the work by the scheduled date of completion described in the application for permission. However, when he has obtained a permission of the Minister of Transportation in cases where the work can not be completed by the scheduled date of completion owing to *force majeure* or for other unavoidable reasons, he shall complete the work by the date designated by the Minister of Transportation, if possible.

(Completion Inspection)

Article 42. The operator of any airdrome or any person who has obtained a permission to provide any air navigational aid in accordance with the provisions of Article 38, paragraph 1 (hereinafter referred to as "operator of air navigational aid") shall, when the work