

CHAPTER VII—AIR TRANSPORTATION, ETC.

(Licence)

Article 100. Any person who intends to engage in scheduled air transportation shall obtain for each route a license from the Minister of Transportation.

2. Any person who intends to obtain a license under the preceding paragraph shall submit an application to the Minister of Transportation, describing a business program (a program for the operation of aircraft and the maintenance necessary therefor), estimate of income and expenses of business, scheduled commencement date for operation and other matters as may be stipulated by Ordinance of the Ministry of Transportation.

3. The Minister of Transportation may request the applicant to submit a copy of the commercial register and other necessary documents in addition to those prescribed in the preceding paragraph.

(Licencing Standards)

Article 101. In cases where there has been an application under the preceding Article, the Minister of Transportation shall examine whether it conforms to each of the following:

(1) The opening of the business shall meet the needs of the public;

(2) The opening of the business shall not make the supply excessive over the demand of air transportation on the route;

(3) The business shall be suitable from the view point of air safety;

(4) The applicant shall be able to perform the business properly;

(5) The applicant shall not come under any of the following:

1) Any person who comes under any item of Article 4, paragraph 1;

2) Any person whose license for scheduled air transportation, non-scheduled air transportation or aircraft-using enterprise was cancelled, and less than two years have passed since the date of such cancellation;

3) Any person who has been sentenced to a penalty heavier than imprisonment for violation of any provision of this Law, and less than two years have passed after he completed the sentence or it has been cancelled.

4) Any juridical person whose officer or officers come under any of the provisions of 2) or 3).

2. When he deems the application conforming to the standards mentioned in the preceding paragraph and after an examination under the provision of the same paragraph, the Minister of Transportation shall issue a licence for scheduled air transportation.

(Inspection prior to Operation)

Article 102. No person who has obtained a license under Article 100, paragraph 1 (hereinafter referred to as "scheduled air transport enterprise") shall begin operation unless he has undergone and passed an inspection of aircraft and other facilities used for the licenced enterprise by the Minister of Transportation.

2. The Minister of Transportation shall consider any scheduled air transport enterprise to be eligible when he has found after an inspection under the preceding paragraph that it is capable of conducting