

limited to a minimum necessary to promote the public interest, or to secure the practice of matters involved in the licence, permission or approval and, shall not be such as will impose undue burdens upon the air transport enterprise or aircraft-using enterprise.

CHAPTER VIII—FOREIGN AIRCRAFT

(Flight of Foreign Aircraft)

Article 126. Any aircraft having the nationality of any foreign state which is a Contracting State of the Convention on International Civil Aviation (hereinafter referred to as "Contracting State") (excepting any aircraft which is used for the enterprise of any person who has obtained permission under Article 129, paragraph 1 (hereinafter referred to as "foreign international air transport enterprise"), any aircraft which is used for transportation by any person who has obtained permission under Article 130-(2) and any aircraft which is used by any foreign state, any public entity or its equivalent in any foreign state, shall obtain permission from the Minister of Transportation when it makes a flight as mentioned below without following any air route designated by the Minister of Transportation:

- (1) A flight starting outside Japan and arriving inside Japan;
- (2) A flight starting inside Japan and arriving outside Japan;

or

- (3) A flight across Japan without landing, starting outside Japan and arriving outside Japan.

2. Any aircraft having the nationality of any foreign state other than a Contracting State (excepting any aircraft which is used for the enterprise of any foreign international air transport enterprise and any aircraft which is used for transportation by any person who has obtained permission under Article 130-(2)) and any aircraft, having the nationality of a Contracting State, which is used by any foreign state, any public entity and its equivalent in any foreign state, shall obtain permission from the Minister of Transportation when it makes a flight referred to in any item of the preceding paragraph.

3. Any aircraft which is used in military, customs or police service shall be regarded as "aircraft used by a state" in application of the provisions of the preceding two paragraphs.

4. When requested by the Minister of Transportation in cases where it makes a flight referred to in any item of paragraph 1, any aircraft having the nationality of any foreign state shall land at the designated airdrome without delay.

5. Any aircraft having the nationality of any foreign state, when it makes a flight mentioned in paragraph 1, items 1 or 2, shall land at or take off from the airdrome designated by the Minister of Transportation except when prevented by weather or other unavoidable causes. However, the same shall not apply in cases permitted by the Minister of Transportation.

(Use of Foreign Aircraft Inside Japan)

Article 127. No aircraft having the nationality of any foreign state (excepting any aircraft which is used for the enterprise of any foreign international transport enterprise and any aircraft which is used for transportation by any person who has obtained permission under