

The guarantees shall be kept alive for the life of the license, permit or registration.

Individuals and companies that do not guarantee payment of the indemnities specified in this Article shall not enjoy the benefit of a limitation of liability.

Article 353. Both the owner and the possessor of aircraft shall be exempt from the liability established in this section:

I. When the damages are due to the victim's own fault or when they are the result of acts committed by a third person with intent to cause damage to the aircraft, the victims or the property;

II. When the person operating the aircraft does so without the consent of the owner or possessor. Nevertheless, the latter must prove that, having taken the necessary preventive measures, it was impossible to avoid the unlawful use of the plane; otherwise the owner or possessor shall be jointly liable with the party who caused the damage.

Article 354. In cases of collision of two or more aircraft, the owners or possessors shall be jointly liable for the damages caused to third persons or to property on the ground, each one within the limits established.

Article 355. The right to receive the indemnity for the damages suffered referred to in this section, as well as the fixing of its amount, shall be subject to the provisions of the Civil Code for the Federal District and Territories which are applicable to the case.

The right to bring actions to demand payment of such indemnity shall lapse in one year, reckoned from the date on which the incidents occurred.

Section Four—Miscellaneous Provisions

Article 356. None of the provisions of this Chapter shall prevent the bringing of appropriate criminal actions.

Any clause in transportation contracts inserted to establish lower limits of liability than those provided for in Article 343 of this Law, those provided for in this section shall be null and void. Nullity of such clause shall not imply nullity of the transportation contract.

Nevertheless, the carrier and the passengers may agree on indemnities or guarantees which are higher than those fixed in this Chapter.

Compliance with the provisions of this Law regarding the liability shall release all persons so complying from all civil, contractual or quasicontractual liability.

Liability for damage suffered by the crew, employees or workers in the service of individuals or companies who undertake the operation of civil aircraft shall be governed by the applicable provisions of the Federal Labor Law and other applicable laws.

Article 357. Controversies of a civil nature which arise on account of any accident suffered by aircraft or caused by one shall be determined and decided in accordance with Article 4 of this Law.

CHAPTER XIV—ACCIDENTS, SEARCH AND SALVAGE

Article 358. The investigation of accidents suffered by civil aircraft shall be made by the Secretariat of Communications. After the investigation, which shall include a hearing to the parties in