

2. The orders referred to in the first paragraph under (a) shall be published in the State Gazette. Copies of these orders shall be sent to Our Minister of Finance, who will arrange for the orders to be recorded in the cadastral map.

*Article 49.*

1. Interested parties can appeal to Us against the orders referred to in Article 48 within thirty days after the posting of the letter referred to in that article.

2. Without prejudice to the provisions of Article 40 of the Act of December 21, 1861, Statute Book 129, Our decision shall be inserted in the State Gazette.

2. COMPENSATION.

*Article 50.*

1. The proprietor of the aerodrome shall pay compensation for any loss or damage which may be suffered in consequence of a prohibition as referred to in Article 38, by

- (a) the owners of the land,
- (b) the holders of a right in rem over the land,
- (c) the holders of a right in rem over a right to the land,
- (d) those who have a personal right with respect to the land, on which this prohibition is imposed.

2. The diminution in value—as a direct consequence of the prohibition—of all the ground over which the same person has a right at the time of the coming into operation of the prohibition, also insofar as such ground is not covered by the prohibition, shall be taken into consideration in calculating the compensation. Changes made or planned after the notification in the State Gazette, as referred to in Article 38, shall not be taken into account.

3. Mortgagees do not receive any separate compensation. They have right of recovery from the compensation payable to the persons entitled to the right on which the mortgage was granted, even if the mortgage debt is not due. If the mortgage debt is conditional or of an indefinite amount, the mortgagee can require that the compensation up to an amount not exceeding the value stated in the deed be provisionally recorded in one of the Registers of the National Debt. The compensation must not be paid and a judicial order for payment must not be put into execution, on pain of nullity, until fourteen days after the mortgagees have been notified of the intention to effect payment or to proceed to execution.

*Article 51.*

1. Within thirty days after the coming into operation of a prohibition, the proprietor of the aerodrome shall make an offer of a certain compensation to the persons entitled to compensation; this shall be done by registered letter. By a similar letter the mortgagees shall be notified of the offer made to the persons entitled to the right on which the mortgage was granted.

2. If the proprietor of the aerodrome, the persons entitled to compensation and the mortgagees fail to reach agreement within six months after the coming into operation of the prohibition, the persons entitled to compensation and the mortgagees can bring an action at law for assessment of the loss or damage.