

SECOND PART—LEGAL RELATIONSHIPS RESULTING FROM THE PRACTICE OF  
AIR NAVIGATION

## FIRST TITLE—CIVIL LIABILITY TOWARD THIRD PERSONS

## Article 64

I. Extent of damage payments. 1. Principles. The damage caused by an aircraft in flight to persons and property on the ground shall give rise to a right to damages against the operator of the aircraft if it is established that the damage has occurred and that it has been caused by the aircraft.

In this provision shall be included:

a. Damage caused by an object of any kind falling from the aircraft, even in the case of jettisoning of prescribed ballast or jettisoning in an emergency;

b. Damage caused by any person whatever on board an aircraft. The operator shall be liable only up to the amount of the guarantee which he must furnish in application of Articles 70 and 71, if such person is not part of the crew.

The aircraft shall be deemed in flight from the beginning of take-off operations until the end of the operations of arrival.

## Article 65

2. Unlawful use. Any person who makes use of an aircraft without the consent of the operator shall be liable for the damage caused. The operator shall also be liable but only up to the amount of the guarantee which he must furnish in application of Articles 70 and 71.

## Article 66

3. Collision. In the case of damage caused on the ground by the collision of two or more aircraft, the operators of such aircraft shall be jointly liable to third persons who have suffered damage.

## Article 67

II. Venue. Venue in actions for payment of damages shall be, at the choice of the plaintiff:

in the court of the domicile of the defendant or, in the court at the place where the damage has been caused.

## Article 68

III. Statute of limitations. No such actions shall be maintained after one year counting from the date when the damage occurred. When the injured person proves that he could not know either of the damage, of its extent, or of the person liable therefor, the statute of limitations shall begin to run from the day when he could have had knowledge thereof.

In all events, no action shall be maintained after three years from the date when the damage occurred.