

Article 69

IV. Reservation of contractual right. The provisions of this title shall not apply to damages caused on the ground when payment therefor is subject to a contract between the injured person and the person who is liable under the provisions of this law.

Article 70

V. Guarantee to cover civil liability. 1. Duty to insure. Except as provided in Article 71, any operator of an aircraft registered in the Swiss Register shall be insured against the consequences of his liability to third persons with an insurance company that has been authorized by the Federal Council to do business in Switzerland in this kind of insurance.

The insurance must also cover the liability of the persons entrusted by the operator with the operation of the aircraft or with other flight services in regard to damages caused to third persons in the exercise of their professional activity in the service of the operator.

Article 71

2. Deposit and bond. The guarantee against losses may also consist of the deposit of securities that are easily negotiable at the public treasury or at a bank accepted by the Federal Air Office, or of a general collateral [cautionnement solidaire] by such a bank or insurance company authorized by the Federal Council to do insurance business in Switzerland.

The actual surety and the collateral must be replenished as soon as the amounts they represent are susceptible of being diminished by the amount of an indemnity.

Article 72

3. Aircraft of the Federal Government and the Cantons. The Federal Government and the Cantons shall not have to furnish a guarantee for their aircraft.

Article 73

4. Foreign aircraft. The duty to furnish a guarantee for foreign aircraft shall be governed by international agreements. In the absence of such agreements, the Federal Air Office may make [permission to] use Swiss airspace contingent on the prior furnishing of a guarantee.

Article 74

5. Rules for execution. The Federal Council shall make rules concerning the furnishing of guarantees, especially concerning their amount and delivery of official attestations as to the kind, amount and duration of validity of the guarantees furnished.

SECOND TITLE—THE LAW OF AIR TRANSPORTATION

Article 75

I. Regulation of air transportation. The Federal Council, after hearing the Commission for Air Navigation, shall issue regulations