

Article 81

II. Exemption. The following shall be exempt from attachment:

- a. Aircraft used exclusively in the service of the State;
- b. Aircraft actually in service on a scheduled public airline and necessary reserve aircraft;
- c. Any other aircraft used for transportation of persons or goods for hire, when it is ready to depart in such transportation, except in the case of a debt incurred for the trip it will undertake or of an amount that has become due in the course of the trip.

The provisions of this article shall not apply to an attachment by the proprietor of an aircraft who has been unlawfully dispossessed thereof.

Article 82

III. Avoidance of attachment by furnishing a guarantee. A sufficient guarantee shall prevent attachment or shall give the right to have it lifted immediately.

Such guarantee shall be deemed sufficient if it covers the amount of the debt and the costs, and if it is made exclusively for payment of the creditor, or if it covers the value of the aircraft in case such value is lower than the amount of the debt and the costs.

Article 83

IV. Procedure. In all cases a request for the lifting of the attachment shall be decided on by a summary and speedy procedure.

The Cantonal governments, by means of an ordinance, shall issue necessary rules in regard to procedure; such rules must be submitted to the Federal Council for its approval.

Article 84

V. Duty to make reparation for the damage caused by an unjustified attachment. When an attachment has been made of an aircraft which is non-attachable under the provisions of this law or when the debtor has had to furnish a guarantee in order to avoid the attachment or to have it lifted, the person making the attachment shall be liable under the Code of Obligations for the damage arising to the operator or the proprietor.

The same rule shall apply in the case of an attachment made without just cause.

A demand for reparation for the damage shall be submitted either to the court of the domicile of the defendant or to the court of the place where the attachment was made.

Article 85

VI. Exceptions. The preceding provisions shall not apply to preventive measures taken under the bankruptcy laws, under the administrative law, or under the criminal law.