

Operator of an aircraft, in the sense of this Code, shall be deemed to be any person who utilizes an aircraft for his own purposes, including a nonprofit undertaking.

The duty of the owner shall extend to maintaining the aircraft in normal operating condition until the completion of the contract. This duty shall cease if there is negligence on the part of the operator.

Article 59. The contract shall be reduced to writing, it shall be approved by the proper authority and registered in the national register of aircraft. It shall not be approved if the person who is to use the aircraft fails to meet the conditions required of an owner.

Article 60. Recordation of the contract in accordance with the provisions of Article 58 shall relieve the owner of any liability subsequently incurred, which shall be the sole responsibility of the other contracting party with the exception of those provided for in the regulations promulgated by the competent authority, which shall be applicable in all cases.

Article 61. In the event that the contract is not recorded it shall be of no effect with respect to third parties, and the owner and the operator shall be jointly liable for any violation or damage that may result.

Article 62. The rights and duties under the contract shall not be assignable either in whole or in part unless the contract contains an express provision to that effect.

Article 63. The provisions of the Commercial Code shall apply unless they do not relate to this Code or are incompatible with it.

Chapter X—Attachment

Article 64. With the exception of public aircraft, all aircraft shall be susceptible to attachment.

Article 65. Upon recordation of a writ of attachment, the party in whose favor the attachment runs shall have preference over all other creditors with the exception of creditors with a superior right.

Article 66. Attachment shall carry with it the grounding of the aircraft in the following circumstances:

1. When it has been ordered in execution of a judgment of a court;
2. When a loan has been granted to make the trip possible, and the aircraft is ready to depart;
3. When there exists a claim of the seller of the aircraft for breach of the sales contract.

Chapter XI—Industries

Article 67. The Executive shall promote the construction of aircraft and shall encourage private enterprise tending to develop a domestic aircraft industry.

Article 68. In order to fulfill the purpose set forth in the preceding article, agreements of an industrial or commercial character may be concluded; or mixed organizations may be established.

Article 69. In order to benefit from aid by the State, private enterprises must be legal entities established in the country and may not depend, directly or indirectly, upon foreign organizations.

Article 70. The Executive shall establish the circumstances, form, and conditions for technical and economic aid to aircraft maintenance shops and all other similar enterprises.