

operator of the aircraft assisted, or from each of the proprietors thereof.

Article 132. If both persons and property have been rescued, the one who has rescued the persons shall have a right to an equitable share of the compensation made to the one who has saved the property, without impairing any right to reimbursement he may have.

Article 133. Reimbursement and compensation shall be due even though aircraft may belong to the same owner.

TITLE X—LIABILITY

Chapter I—Damages Sustained by Passengers or Goods Being Transported

Article 134. A carrier shall be liable for any damages or losses caused by the death, injury or any other physical detriment sustained by a passenger, when the accident which caused the damage took place on board an aircraft or while boarding or disembarking from it.

Article 135. A carrier shall be liable for any damages or losses suffered by destruction, loss, or damage to baggage that has been checked and to goods when the event causing the damage took place during the air transportation.

Air transportation for purposes of the last paragraph shall include the period during which the baggage or goods are in the custody of the carrier whether on an airport or on board an aircraft or at some other place if the landing is made at a place other than at an airport.

The period of air transportation shall not include transportation on the ground, by sea, or in navigable waters when such transportation takes place outside of an airport, unless one of these types of transportation has been undertaken in pursuance of a contract for air transportation with the object of loading, delivering, or transferring the shipment. Unless there is proof to the contrary, it shall be presumed in those cases that the damage was sustained during the air transportation.

Article 136. A carrier shall be liable for damages arising from delays in transporting passengers, baggage, or goods.

Article 137. A carrier shall be liable for the negligence of persons under his control such as clerks, laborers, or servants while in the performance of an act connected with their employment.

A carrier shall not be liable if he can establish that the damage was the result of an excusable pilot error, in the operation of the aircraft or in navigation, and that in all other respects he, or the persons subject to his control, took adequate measures to avoid the damage, or that it was impossible for them to adopt such measures.

Such evidence shall be admissible even when it is shown that the damage resulted from a defect in the aircraft.

Article 138. The courts may absolve the carrier from any liability or reduce his liability if the injured party caused the damage or was a contributing cause thereof.

Article 139. With respect to the transportation of persons, the limit of liability of the carrier for each passenger shall be a sum of eighty thousand pesos in national currency, (\$80,000). However, a higher limit may be established by an express agreement between the carrier and the passenger.