

b) under what conditions the Federal Civil Aviation Office may in special cases, upon application, grant exceptions from the provisions of paragraph 1, first sentence.

(3) The ordinance in accordance with paragraph 2 shall be issued in concurrence with the Federal Ministries of the Interior, of Finance, and of National Defense.

Section 9. Landings and Takeoffs outside of Airdromes.

(1) For takeoff and landing of aircraft only airdromes may be used (section 58) unless otherwise provided for in paragraphs 2 to 4 and in section 10.

(2) Takeoffs and landings outside airdromes (Aussenabflüge and Aussenlandungen), as far as civil aircraft are concerned, shall be subject to approval by the provincial governor. The approval shall be given if not contrary to any public interest or if the public interest in such takeoff or landing outweighs any other conflicting public interest.

(3) Takeoffs and landings outside an airdrome of military aircraft shall be permissible when conflicting public interests outweighing the interest in the takeoff or landing outside an airdrome do not exist.

(4) If the use of a land area is involved, the landing or the takeoff outside an airdrome in accordance with paragraphs 2 or 3, shall be permissible only if the titleholder of the property agrees to its use.

(5) For parachute descents outside of airdromes the provisions of paragraphs 2 through 4 shall apply accordingly.

Section 10. Landings and Takeoffs outside of Airdromes that are not subject to Approval.

(1) The provisions of section 9 shall not apply:

a) to unforeseen landings outside an airdrome made for reason of safety or forced by lack of fuel or lifting power (emergency landings) and parachute descents made to save one's life,

b) to landings and takeoffs made in connection with rescue and catastrophe operations as well as accident investigations in accordance with section 137, paragraph 1,

c) To landings of gliders and free balloons outside an airdrome.

(2) In the case of an emergency landing (paragraph 1, subparagraph a), permission of the Federal Civil Aviation Office is required for takeoff outside an airport in civil air traffic. This permission shall be given if the safety of the takeoff outside an airdrome is ensured.

(3) Within the field of civil aviation the responsible pilot (section 125) or, if he is incapacitated, the person taking his place, shall immediately report an off-field landing outside an airport within the meaning of paragraph 1, subparagraph a, to the nearest flight safety service and to the nearest public safety authority.

(4) The public safety authorities shall furnish the name and residence (corporate seat) of the aircraft operator to persons who give credible evidence of damage caused by a landing outside an airdrome.