

concerned from repetition of an act or omission punishable under this Federal Law.

Section 41. Obtaining of an Expert Opinion.

(1) Prior to the issuance of a decree in accordance with section 40, an expert opinion of a committee composed of three experts shall be obtained.

(2) The experts shall be appointed by the Federal Minister of Transport and Electric Power for the duration of three years. Only persons who are reliable and have been active civil air pilots for at least three years may be appointed. For each expert a substitute shall be appointed in accordance with the same principles.

(3) The experts and substitutes shall hold office as an unpaid honorary office, and upon their appointment shall promise to give their opinions to the best of their knowledge and belief and to observe silence about matters brought officially to their knowledge.

(4) The experts and substitutes shall be removed from office by the Federal Minister of Transportation and Electric Power if they seriously violate the duties of their office or no longer meet the conditions of their appointment.

(5) The committee of experts shall be convened by the Federal Civil Aviation Office and be furnished a description of the case to be examined in due time so that the experts (substitutes) are prepared when appearing at the meeting. The expert opinion shall be rendered by majority vote and shall be made a matter of record.

B. SCHOOLS

Section 42. Training Permit.

The training of civil air pilots shall be permissible only within the framework of civil air pilots' schools. For the operation of civil air pilots' schools as well as for any alteration of their scope of operation as designated by decree, a permit of the Federal Civil Aviation Office shall be required (Training Permit).

Section 43. Requirements for the Issuance of a Training Permit.

(1) A training permit shall be issued by written decree, if the applicant:

- a) possesses Austrian citizenship
- b) is reliable, and
- c) submits proof that he or his manager (section 44, paragraph 4) possesses the necessary experience for orderly operation of a civil air pilots' school.

(2) In the event that the applicant is not a physical person, the provisions of section 16, paragraph 3 shall apply accordingly.

Section 45. Prohibition of Training Operations.

(1) The Federal Civil Aviation Office shall prohibit the execution of training operations if one of the requirements set forth in section 44 is no longer met or was lacking at time of the issuance of the permit to begin operations and this defect continues to exist.

(2) Simultaneously with the prohibition of training operations the Federal Civil Aviation Office shall fix an adequate time limit within which the established defect must be eliminated.