

of flight safety as are necessary for the safe and expeditious handling of air traffic (flight safety stations).

(2) With the consent of the Federal Ministry of the Interior, the Federal Civil Aviation Office may authorize members of the Federal Police and Federal Rural Police to exercise functions in the field of flight safety. The authorization may be granted only to persons who are trained to carry out the appropriate functions. The persons authorized shall be obliged to carry out the functions specified in the authorization. They shall be directly subordinate to the Federal Civil Aviation Office while carrying out these functions.

Section 121. Scope of Flight Safety.

Flight safety shall extend to the entire Federal territory and the air space above with the exception of those areas which are designated by ordinance by the Federal Ministry of National Defense in concurrence with the Federal Ministry of Transport and Electric Power with a view to the interests of national defense and civil aviation.

Section 122. Flight Safety Installations.

(1) Fixed installations for purposes of flight safety (flight safety installations) may be established and operated by the Federal Civil Aviation Office only if they do not constitute a hazard to the safety of persons or property. The provisions of section 6, paragraph 2, of the Telecommunications Law, Federal Law Gazette No. 170/1949, shall not thereby be affected.

(2) The civil airport operator shall bear the costs connected with the establishment and maintenance of those flight safety installations which exclusively serve the safety of departure and landing.

Section 123. Preparatory Work for Flight Safety Installations.

(1) When the planning of flight safety installations requires preparatory work on private land and when the owner of the land does not want to permit the work, the Federal Civil Aviation Office shall force him by decree to allow the preparatory work (Verpflichtungsbescheid).

(2) The Federal Government shall compensate the landowner for any damage caused by the preparatory work. When agreement on the compensation is not reached, a court shall decide in a nonadversary proceeding. Claims for compensation shall be filed not later than three months after the day on which the Federal Civil Aviation Office proves to have informed the landowner of the completion of the preparatory work.

B. RULES OF AIR TRAFFIC

Section 124. Air Traffic Regulations.

(1) In air traffic, every person shall be obliged to proceed with the caution, attention and consideration required for the maintenance of order and safety.

(2) The Federal Ministry of Transport and Electric Power, with a view to safe and expeditious handling of air traffic and the prevention of imminent danger to the public resulting from air traffic, shall regulate by ordinance the functions of flight safety and the rules of air traffic specified in section 119 in particularly with respect to:

- a) the movement of aircraft in the air and on the ground,
- b) the altitude to be observed in flight,
- c) the signals and signs to be used.