

(3) Prior to the issuance of the ordinance mentioned in paragraph 2, the Federal Ministry of Transport and Electric Power shall obtain the concurrence of:

- a) the Federal Ministry of National Defense unless provisions are involved which are necessary in the interest of the safety of international civil aviation,
- b) the Federal Ministry of Education with respect to matters of the flight weather service (section 119, subparagraph d) if the latter have a bearing on other weather service.

Section 125. Aircraft Captain.

(1) Within the field of civil aviation, the aircraft captain shall be the pilot in command of the aircraft.

(2) The aircraft captain shall:

- a) take all measures necessary for the maintenance of order and safety on board the aircraft,
- b) report unlawful acts committed on board the aircraft to the Federal Civil Aviation Office within a period of 48 hours notwithstanding the duty to report resulting from other legal provisions.

(3) If the aircraft captain is incapacitated, the obligation resulting from paragraph 2 shall apply to his co-pilot.

Section 126. Civil Air Shows.

(1) For competitions or exhibitions in which civil aircraft participate (civil air shows), permission shall be required notwithstanding other legal provisions.

(2) Permission shall be denied when facts justify the assumption that the show might constitute a hazard to public safety and order and in particular to traffic safety.

(3) The permission shall contain such conditions, terms or limitations as are required for the safe conduct of the air show.

(4) When the civil air show extends over all Federal provinces, the Federal Ministry of Transport and Electric Power in concurrence with the Federal Ministry of the Interior shall be competent for the issuance of the permission; otherwise the provincial governor in whose jurisdiction the show is to be held.

Section 127. Military Air Shows.

With respect to the performance of military air shows (parades, exhibition flights, competitions and similar events) the Federal Ministry of National Defense shall obtain the concurrence of the Federal Ministry of Transport and Electric Power.

Section 128. Launching of Captive Balloons and Kites.

(1) The launching of captive balloons and kites within safety zones shall be forbidden.

(2) Outside of safety zones, permission of the provincial governor shall be required for the launching of captive balloons and kites if the captive balloon or kite is capable of rising more than 100 meters.

(3) Permission shall be granted if the launching of a captive balloon or kite endangers neither air traffic nor persons or property on the ground.

(4) The permission shall prescribe such conditions, terms or limitations as are required for the prevention of danger.