

and approaches, buildings and other accommodation and apparatus and equipment for such aerodromes). Where the Minister certifies that any land is required for that purpose, the Minister charged with the subject of the administration of the Land Acquisition Act may direct that Order be taken under that Act for the acquisition of the land on behalf of the Government, and for determining the compensation to be paid to the parties interested in accordance with the provisions of that Act:

Provided, however, that the preceding provisions of this subsection shall not be construed as authorizing the Minister to act otherwise than for the purposes of civil aviation.

(b) Where a direction is given by the Minister under paragraph (a) of this subsection for the acquisition of any land, all the provisions of the Land Acquisition Act shall apply in all respects in like manner as though the land were required for a public purpose.

(2) For the avoidance of doubts it is hereby declared that one of the purposes for which the Minister is empowered by this section to acquire land is the purpose of securing that the land adjacent to the site of an aerodrome which the Minister has established or is about to establish, shall not be used in such manner as to cause interference with, or danger or damage to, aircraft at, approaching or leaving the aerodrome.

9. (1) No action shall lie in respect to trespass or in respect of nuisance, by reason only of the flight or the ordinary incidents of the flight of aircraft over any property at a height above the ground which, having regard to wind, weather, and all the circumstances of the case is reasonable, so long as the provisions of this Act and any regulations or orders made thereunder are duly complied with; but where material damage or loss is caused by an aircraft in flight, taking off, or landing, or by any person in any such aircraft, or by an article or person falling from any such aircraft, to any person or property on land or water, damages shall be recoverable from the owner of the aircraft in respect of such damage or loss, without proof of negligence or intention or other cause of action, as though the same had been caused by his wilful act, neglect or default, except where the damage or loss was caused by or contributed to by the negligence of the person by whom the same was suffered:

Provided that where material damage or loss is caused as aforesaid in circumstances in which—

(a) some person other than the owner of the aircraft would under any other law having effect in Ceylon be liable to pay damages in respect of such damage or loss; and

(b) such damages are recoverable and recovered from the owner of the aircraft by virtue only of the provisions of this section,

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