

as required by the Board concerning application thereof. The rates shall be stipulated in national currency but, with respect to international air transport, they may also be stated in currency of the countries in which the airlines operate, in which case additional information must be given which is required by the respective foreign law.

*Article 36.*³ When the Board exercises its authority with respect to the fixing and application of rates for transportation, it shall take into consideration, among others, the following factors:

- a) Public interest in guaranteeing efficient and adequate performance and safety protection possible in transportation of persons and merchandise;
- b) The obtaining of the lowest cost of service compatible with the advantages and conditions inherent therein;
- c) The effect on the volume of traffic;
- d) The nature and quality of the service rendered;
- e) The margin of profits which should be recognized in favor of the companies, taking into consideration an honest, economic and efficient administration; and
- f) The differences in economic capacity of the companies rendering international service, with the possibility of approving rate differentials up to 20 percent less for financially underdeveloped companies in comparison with 20 percent higher rates for all transportation in jet aircraft.

*Article 37.*⁴ No airline operating in this country may violate the application of its rates by granting directly or indirectly any discounts, privileges, facilities or changes outside of those contemplated and permitted by law.

Article 38. Airlines are permitted to establish discounts in favor of their directors, agents, employees and their relatives who are financially dependent on them, but the Board must be notified as to the respective program, as well as any changes thereto. It is compulsory for the airlines to grant exemptions and discounts in the cost of transporting persons who, by reason of their official prerogatives, merit courtesy treatment with respect to the contractual stipulations of air transport, taking as a basis of reference Article 4 of Law No. 12 of October 2, 1942.

SECTION VI. VARIOUS PROVISIONS CONCERNING AIR TRANSPORT

Article 39. Inspection of all matters concerning regulatory aspects of public service of air transport referred to in this law is compulsory and a matter of public order. Consequently, the documents which are necessary for the exercise of supervisory functions of this nature are considered public documents, and shall be at all times at the disposal and examination of the competent public officials.

Article 40. By virtue of the authority and duties entrusted to it, the Board may require periodical, monthly, annual or special reports from any civil aviation company, and with respect to international companies, force them to abide by the measures of the International Civil Aviation Organization. The Board is empowered to request from the companies true copies of contracts, agreements or arrange-

³ *Ibid.*

⁴ *Ibid.*