

CUBA

REGULATION ON CIVIL AVIATION

DECREE 548 OF APRIL 21, 1928¹

GENERAL PROVISIONS

First: This Regulation purports to govern all matters concerning civil aviation, private or commercial, national or foreign, over the territory of the Republic of Cuba and its territorial waters in time of peace, and to establish the conditions and requirements under which such aviation may take place.

Except where expressly provided, these provisions shall not be applicable to military aviation, whether national or foreign.

This Regulation, as well as the provisions which may be added to it or issued in implementation thereof, shall only apply during time of peace. Whenever a state of war or serious disturbance of public order has been declared or when constitutional guarantees are wholly or partially suspended throughout the national territory, the application [of this Regulation] within said territory shall be suspended, as shall the rights granted to or acquired by private individuals under it, and only the rights reserved to the State shall subsist for purposes of national defense or military needs and its authority to exercise such rights shall be that pertaining to the state of war or of serious disturbance of public order, when officially declared, shall lift the suspension and *ipso facto* restore all provisions and acquired rights.

During the state of war or serious disturbance of public order air navigation shall be absolutely prohibited to nationals and aliens, except by special authorization of the Ministry of National Defense for special flights which shall be granted only in exceptional cases and in the public interest. Any person who violates this prohibition shall be considered to be a spy and the aircraft shall be brought down without prior notice.

Second: The word "military" and the term "military service" as used in this Regulation, and always provided they are used in provisions regarding aviation, shall include all persons employed in any manner in any of the branches or auxiliary services of the armed, land, sea or air forces, and to all categories of acts, facts, works, efforts, etc. which affect or originate from or result from the functions, duties or inherent rights of the Armed Forces.

CHAPTER I. GENERAL PRINCIPLES AND PROVISIONS

Article 1. The Sovereignty exercised by the Republic of Cuba over its territory, defined in Article 2 of the Constitution, shall include, its territorial waters.

¹ Published in *Gaceta Oficial*, May 2, 1928.