

4) any person who violates the regulations concerning technical operating conditions of aircraft issued in application of Article 46.

In case of repetition, there shall always be imprisonment. There shall be repetition when, during the preceding year, a judgment has been rendered against the violator for one of these violations.

Art. 75. Any person who violates article 41, or any decrees issued in application thereof, shall be punished by a fine of from 30,000 to 200,000 CFA, and, according to the circumstances, also [by imprisonment].²

Art. 76. A prohibition to fly, or to participate in flying an aircraft may be imposed by judgment or ordinance for a period of from 3 months to 3 years, against a crew member sentenced under Articles 68, 70, and 71.

When a crew member is sentenced the second time for the same violation within the period provided for in Article 73, the prohibition to fly, or to participate in flying an aircraft shall be imposed and the duration thereof shall be the maximum period and may be doubled. The patents, licenses, and certificates held by the violators shall be deposited for the whole duration of the prohibition with the clerk of the court which imposed the prohibition.

The persons sentenced must deposit such patents, licenses, and certificates either with the above clerk or the clerk at their domicile, within 5 days after the date on which the sentence has become final, under penalty of from 6 days to 1 month imprisonment and a fine of from 6,000 to 120,000 CFA, without thereby affecting the penalties under Article 67 in the case that they fly or participate in flying an aircraft during the period of prohibition and such penalties cannot be intermingled.

Art. 77. In accordance with Article 56 of this Code, any unauthorized jettisoning of articles from an aircraft in flight shall be punished by a fine of from 60,000 to 360,000 CFA and by imprisonment of from 6 days to months, or by only one of these penalties, even if such jettisoning causes no damage, and without thereby affecting more severe penalties which may be imposed in case of other violations.

Art. 78. Any flight commander of an aircraft who, in the knowledge that the aircraft has caused or occasioned an accident on the ground, does not immediately notify the authorities of the nearest airport with which he can communicate, and thus attempts to avoid any criminal and civil liability he may have incurred, shall be punished by the penalties provided for by the law in cases of the offense of leaving the scene of an accident.

Art. 79. The provisions of the Criminal Code pertaining to mitigation and aggravation of penalties shall be applicable to all violations specified in this law.

Art. 80. All provisions of laws relating to the prevention of violations of customs regulations shall be applicable to goods imported or exported by aircraft under any customs system.

All unauthorized unloading and dropping of goods other than that necessary for the welfare of the aircraft shall be punished by the penalties provided for in the customs law in respect to contraband.

In case of a violation, the aircraft may only be used as surety for payment of the fine incurred, or may be subject to attachment which,

² Missing in original text. Ed.