

the effects of the classification shall be determined by decree issued on the report of the Minister of Civil Aviation, on the advice of the Minister of Justice, the Minister of Finance, the Minister of the Interior, and the Minister of National Defense.

Art. 99. [The classification of airdromes shall be declared by decree issued on the report of the Minister of Civil Aviation, on the advice of the Minister of Finance, the Minister of the Interior, and other Ministers concerned.] ⁵

CHAPTER III. FEES

Art. 100. On all airdromes open to public air traffic the services rendered to users and to the public shall give rise to a remuneration in the form of fees levied for the benefit of the person rendering the service, and particularly for the following operations:

Landing of aircraft:

Use of devices of assistance to air navigation;

Use of aeronautical telecommunications facilities;

Parking and hangar space for aircraft;

Use of installations equipped for the reception of passengers and goods;

Occupation of land and buildings;

Use of various installations and workshops.

Art. 101. The fees provided for in the preceding article shall be fixed by decree, on the advice of the Superior Council of the Civil Aeronautics Board whose composition and rules of operation shall also be specified by decree.

Art. 102. The fees shall become due on use of the facilities, installations, buildings, and workshops for which they constitute the payment, (and they must be commensurate with the services rendered).

In case of non-payment of fees due from the operator of air aircraft, the operator of the airdrome shall be entitled to request the authority responsible for air traffic on the airport that the aircraft be held until deposit has been made of the amounts in dispute.

Fees accruing to the State, to public organizations and to public establishments shall be collected by a revenue agent. They shall be paid, in accordance with applicable rules, to the organization or establishment which has the benefit thereof, and as regards the State, in accordance with the rules applicable to foreign credits, into taxes and the Treasury by virtue of the power to obtain receipts granted by the Minister of Finance. When the fees have been paid in cash, their receipt may be ensured by a collector.

TITLE II. AERONAUTICAL RESTRICTIONS

Art. 103. In order to ensure the safety of navigation of aircraft, special restrictions called "aeronautical restrictions" are imposed.

Such restrictions shall include:

1. Aeronautical restrictions for the purpose of clearance including the prohibition to create, or the obligation to remove, any obstacles that may constitute a danger to air traffic or impair the functioning of safety devices established in the interest of air traffic;

⁵ The original text repeats Art. 98 up to the word "decree." Presumably, this is in error, and the law of Niger is correct. Ed.