

are contrary provisions in the agreement, a carrier who undertakes gratuitous transportation, shall not be liable, within the limits provided for in said convention, except where it is established that the damage has been caused by a fault attributable to the carrier or his employees.

Liability of an air carrier may not be imposed except under the conditions and within the limits provided for above, whoever the persons bringing the action, and whatever the right they pretend to claim, may be.

CHAPTER III. CHARTER AND RENTAL

Art. 125. In case of charter of an aircraft for a predetermined time, the crew members as defined by the regulations shall remain the agents of the aircraft owner, unless there is an agreement to the contrary.

Art. 126. The owner of an aircraft chartered to a third person shall remain liable for all legal obligations and shall be jointly liable with the charterer for any violation thereof.

However, when the charter contract is recorded in the register and when the charterer fulfills the conditions required for ownership in a Dahomey aircraft, such charterer shall be solely liable as operator for all legal obligations and shall be solely liable for violation thereof.

TITLE II. CARRIERS

CHAPTER I. DAHOMEY CARRIERS

Art. 127. No one shall engage in air transportation on a commercial basis and for payment, unless he has been authorized (by the Minister of Civil Aviation).

The manner in which such authorization is granted or withdrawn, shall be determined by decree.

Art. 128. Carriers authorized under Article 127 above must submit for prior approval of the Minister of Civil Aviation:

- 1) Their general plans for the purchase and rental of flight equipment;
- 2) Their plans of operation containing in particular an indication of the types of equipment normally used in each of the passenger services listed in such plans.

The Superior Council of the Civil Aeronautics Board shall have jurisdiction to decide on such plans and on all changes made therein.

The rates shall be submitted for approval to the Minister of Civil Aviation.

Transportation of a maximum of six passengers by aircraft whose weight is less than a maximum fixed by a decree shall not be subject to the obligations specified in this article.

Art. 129. Conditions of coordination between air transportation and transportation on the ground shall be determined by decree.

Art. 130. Air carriers shall be subject to the technical control exercised by the Minister of Civil Aviation in order to insure air safety.

Expenses incurred by such control shall be borne by the carriers.

Art. 131. Control by the State of air carriers shall be exercised as regards technical operation and working conditions for the personnel, commercial operation and administrative regulation by the Minister of Civil Aviation.