

TITLE V. DISCIPLINE

Art. 162. The aircraft commander shall have to make a detailed report within forty-eight hours following any accident or incident that may have serious consequences and occurring either on the ground or in flight, or any violation of the rules of air traffic.

Such report, made out in three copies, shall be directed :

to the competent representatives of the civil aeronautics or of the armed forces (air) depending on whether the aircraft commander belongs to the categories "air transportation" or "air work" or to the category "testing and admissions";

to the management of the operator concerned ;

to the council of flight personnel.

Art. 163. The competent administrative authority shall proceed to all investigations and inquiries in order to seek and state the causes of accidents or incidents.

Art. 164. A commission of investigation may be set up by order.

Such commission must hear the representatives of the operators concerned, as well as the flight personnel in question, or its representatives.

Investigation reports shall be addressed to the courts upon their request, and on request, to the foreign States which have participated in the investigation, to the departments of the ministries, to the operating companies, to aviation clubs, to the owners of the aircraft concerned in the accident and to the *Journal Officiel* for publication.

Art. 165. The council of the flight personnel provided for in Article 150 shall have the task of proposing to the competent minister the application of the penalties provided for in Article 168 in regard to members of the flight personnel of the civil aeronautics who have been found guilty of negligence in the exercise of their profession.

Art. 166. When the commission of investigation provided for in Article 164 concludes that there was professional negligence, a duplicate file shall be sent directly to the council of the flight personnel.

Art. 167. The person concerned may challenge the members of the council under the conditions provided for in Articles 378 *et seq.* of the Code of Civil Procedure.

Art. 168. Disciplinary penalties within the jurisdiction of the council of the flight personnel shall be the following :

temporary revocation with or without suspension of one or several certificates or licenses.

permanent revocation of one or several certificates or licenses.

removal from the register provided for in Article 145.

Art. 169. In case there is a serious presumption concerning the responsibility of the aircraft commander or a member of the crew and while awaiting the conclusions of the council of the flight personnel, the competent minister may relieve the person concerned of his functions for a period not to exceed, in any case, two months.

The person concerned shall receive his minimum guaranteed salary during the period of suspension.

Art. 170. Any violation of the regulations concerning working hours of the flight personnel shall mean automatic withdrawal of the license of the person committing the violation for a period of not less than fifteen days, nor more than two months.