

CHAPTER 13. PENAL PROVISIONS

Article 149. Any person who performs or attempts to perform service on an aircraft having used alcoholic beverages contrary to the provisions of Article 50, paragraph 1, shall be punished by detention or imprisonment of up to two years. Any person who performs service on an aircraft in disregard of the fact that his right to do so has been terminated or if he is deprived of these rights in accordance with Article 150, shall be subject to the same punishment. In extenuating circumstances the punishment may be reduced to a fine.

The provision of the first paragraph shall also apply to persons who perform service in positions referred to in Article 74.

Any person who violates the provisions of Articles 21, 28, 32, paragraph 3, Article 36, paragraphs 1 and 2, Article 39, Article 41, paragraph 1, Article 42, Article 50, paragraphs 2, 3, 5 and 6, Article 60, paragraph 1(1), and paragraph 4, Article 74, (cf Article 50, paragraphs 2, 3, 5 and 6), Article 84, paragraph 2, Article 85, paragraph 1, Articles 130 and 135, shall be punished by detention or imprisonment of up to two years.

Any person who violates the provisions of Article 2, paragraph 1, Article 12, paragraph 1, (1 to 3), Article 13, paragraph 2, Article 20, Article 48, paragraph 2, Article 55, paragraph 1, Article 66, and Article 75, paragraphs 1 and 2, shall be punished by a fine or by detention.

Any person who violates the provisions of Article 18, Article 37, paragraph 3, Articles 38 and 72 shall be punished by a fine.

If the commander of an aircraft or a member of the crew is guilty of gross negligence, or of continuing negligence or carelessness in fulfilment of his duties in accordance with Articles 43 to 49, such person shall be punished by a fine or by detention. If, by such negligence or carelessness, such person has created a danger to life or health of others, or a danger to the aircraft, the punishment may be increased to imprisonment of up to 2 years.

Any person, who does not follow orders or prohibitions given in accordance with this law, or regulations issued in accordance with this law, shall be punished by a fine or detention. The punishment for disregard of an order given in accordance with Article 84, paragraph 1, may be increased to imprisonment of up to 2 years.

Any person who violates the provisions of regulations issued in accordance with Article 3, Articles 82-83 and Article 85, paragraph 2 and 3, shall be punished by a fine, or imprisonment for a period of up to 2 years. In general a violation of regulations and instructions issued in accordance with this law shall be punished by a fine or detention.

Violations committed by joint stock-companies co-operative societies and the like shall be subject to a fine.

The cases are considered as police matters, unless they concern the suspension or deprivation of rights to serving on an aircraft: cf. Article 150, or on other positions, cf. Article 74. If, according to law, the punishment may be imprisonment, a defense counsel shall be appointed if the defendant so requests.

Article 150. Any person shall be deprived of the right to perform service on an aircraft, if the service is accomplished in a grossly unwarrantable manner, or if by nature of the performance of the serv-