

ECUADOR

Law of Air Traffic ¹

Art. 1. The State shall exercise complete and exclusive sovereignty over the airspace above its territory including the territorial waters.

Art. 2. Flight of aircraft over Ecuadorian territory shall be free, but shall be subject to the control of the Ministry of National Defense without thereby affecting the provisions of Article 2 of the Law of Civil Aviation.

For reasons of military necessity or public order flight may be prohibited over certain areas of the National territory or, in exceptional cases, over the entire territory of the State.

Art. 3. Aircraft shall be classified as State aircraft and civil [*privadas*] aircraft.

State aircraft shall be deemed:

- a) military aircraft which are commanded by personnel in active military service or commissioned for that purpose by the Competent authority; and
- b) Aircraft used exclusively in the service of the State, such as mail, customs, and police.

All others shall be deemed civil aircraft.

Art. 4. An airport shall be deemed any place on land or water which is equipped for the take-off, landing, or parking of aircraft.

Art. 5. No aircraft may fly over the territory of the State unless it has a special nationality.

Art. 6. The Director of Civil Aviation shall keep the National Aviation Register. Every month he shall submit copies of all entries made in such register to the Ministry of National Defense.

Art. 7. Aircraft must be registered in the National Aviation Register:

- a) When they are wholly-owned by Ecuadorian citizens or by a corporation legitimately constituted in Ecuador, provided it is shown that at least two thirds of its paid stock belongs to Ecuadorian citizens, and that its president or financial administrator is an Ecuadorian citizen;
- b) when they have obtained a certificate of airworthiness and have complied with the obligations respecting fees and taxes established by this law and the respective regulations.

Any aircraft jointly owned by persons of different nationalities shall be deemed to have Ecuadorian nationality when the preponderance of its value belongs to Ecuadorian citizens.

Art. 8. The Ecuadorian National Aviation Register shall be published for the information of interested persons and the public in general.

¹ Codified, Jan. 4, 1960, *Constitucion y Leyes del Ecuador* (1960), p. 1353.