

in two years from the date when the cause of action arose or, in the case of a contract for air transportation, from the date on which the last trip under such contract was completed took place or from the date when the contract was concluded, provided that after the date when the damage occurred no further trip has taken place in accordance with the schedules.

When the damages arise from a collision between aircraft, any examination shall be without validity unless it is made before the authority of jurisdiction at the place where the event occurred or at the place of the first landing, and within three days from the date when the claim or protest was made.

The above period shall not apply when it is impossible for the injured person to do so.

As to damages to person or goods transported, the absence of a protest shall not affect any interested party who is not aboard and who, therefore, is not in a position to express his wishes.

*Art. 36.* Insofar as violations of this law represent violations of the Civil Code or special laws, they shall be penalized in accordance with the former or the latter.

*Art. 37.* Any person who, without being authorized to do so, orders or gives a signal provided for in Article 27, or removes signals posted by the proper authority shall be punished by a fine of from two hundred to two thousand *suces*.

When such act endangers the aircraft, the penalty shall be imprisonment of from two months to two years and by a fine of from three hundred to three thousand *suces*; and if the catastrophe does result, the imprisonment shall be from three months to two years, and the fine not less than two thousand *suces*.

When it is shown that the act was committed with intent, the penalty shall be, for a first offense, imprisonment of from one to five years, and for the second offense, from three to ten years, and the fine shall in either case be more than three thousand *suces*.

Such penalties shall be doubled when the act results in the death of a person, or increased by one third to one half, if a personal injury results.

*Art. 38.* In time of war or internal disorder, private airdromes, aircraft and material may be sequestered, whatever the nationality of the owner thereof may be, when they are useful to the air and naval forces of Ecuador, subject to the applicable rules established by the Code of Civil Procedure in regard to expropriation of real property.

*Art. 39.* No foreign military aircraft may fly over the national territory, or land thereon without authorization from the Ecuadorian government, granted by the authority which, under the Constitution, may properly do so, except in case of a forced landing on the ground or on water.

Any military aircraft which flies over the national territory or lands thereon with authorization, shall enjoy, in principle the privileges customarily granted to foreign warships.

Any aircraft which is forced to land or was requested or invited to land, shall not enjoy any of the privileges referred to in the preceding paragraph.

*Art. 40.* Any aircraft which violates the prohibition against flying over certain areas of the territory, shall be confiscated and its crew