

For the purposes of this Law, the term "injury" includes bodily injury, organic or functional, as well as those affecting the mental faculties.

*Article 255. Gratuitous transportation.* In cases of gratuitous transportation or free of charge, the liability of the carrier is limited only to damages arising from gross negligence or fraud.

*Article 256. Amount of compensation.* The airline must pay the following amounts to successors for the damages referred to in Article 254:

I) For death, the sum of forty thousand (C40,000.00) colones.

II) For injuries which cause total permanent disability of the entire body, the sum of thirty thousand (C30,000.00) colones.

III) For injuries which cause partial permanent disability of a principal limb, up to a maximum of fifteen thousand (C15,000.00) colones.

IV) For injuries which cause temporary partial disability, incapacitating him for customary or specialized work, up to a maximum of five thousand (C5,000.00) colones.

The amounts of compensation listed in sections III and IV of this Article, shall be governed pursuant to the table of compensations in the respective regulation.

*Article 257. Insurance coverage.* The liability referred to in Articles 254 and 255 must be covered through protection insurance against all risks causing bodily organic or functional injuries: total or partial, permanent or temporary, disabilities: death produced by external and accidental means, or as a consequence of suppurative infections of injuries derived directly from the transportation. This insurance should be contracted through a duly authorized institution, so that the risk may be covered to the satisfaction of the Department of Aviation.

*Article 258. Nullity.* Any clause which attempts to exonerate the carrier of liability, or to fix limitations less than those established by this Law, is null and void, but the nullity of this clause shall not imply that the contract of transportation is void, which shall continue to be governed by the provisions of the present law.

*Article 259. Negligence or fraud.* Without prejudice to the provisions of Articles 254, 256 and 257, the victim of an accident or his successors may legally claim full compensation established by other laws, when the competent judicial authority has decided in the respective case that there has existed negligence or fraud in violation of this Law or its regulations, on the part of the airline or of its crew or employees.

*Article 260.* In all aviation accident cases causing death or injury to passengers, the insurer shall immediately pay the compensations established in Article 256 as soon as the death or injuries have been legally established by the competent authorities. In the absence of insurance, the carrier must satisfy the compensations in point, pursuant to the provisions of this Law.

*Article 261. Validity of insurance.* The Department of Aviation shall see that insurance for risks in air transportation is maintained in force for the period of the concession or authorization, and during the time that the registration of the aircraft is valid.