

by the creditors of the operator until the claims of injured persons have been satisfied in accordance with this Law.

Art. 313. Procedure. If, within the period of six months from the date of the occurrence from which the damage originated, the plaintiff has not filed a judicial action or has not informed the operator of his claim, he shall only have the right to be compensated out of the amount which remains undistributed after other claims have been satisfied where claimants have observed the requirements.

Art. 314. Action against heirs of operator. In case of the death of a person liable for damages in accordance with this Law, action may be brought against his successors.

Art. 315. Exceptions. The provisions of this Law shall not be applied to injuries on the ground if the liability for some is governed by a contract between the victim and the operator, or the person with a right to use the aircraft at the time the damages occurred, or by the law protecting an employee, applicable to the labor contract celebrated between such persons.

Art. 316. State aircraft. The precepts of this Law concerning damages caused by aircraft in flight to third persons on the ground shall not be applicable to damages caused by State aircraft.

SECTION FOUR

General Provisions

Art. 317. Applicable Law. Civil liability of national or foreign enterprises in international air transportation shall be governed by international agreements in force in the Republic. In absence of such agreements this liability shall be governed by the present Law and other applicable laws of the Republic when the accident or the damages and losses have occurred on Salvadorean territory.

Art. 318. Limitation of actions. In all cases of contractual or excontractual liability covered by this law, the right to compensation is extinguished in the period of two years computed from the date on which the act giving rise to the damages occurred, or, in lieu of this, the date on which the transportation commenced during which this act occurred.

Whatever the cause of the suspension or interruption of the statute of limitations is alleged, the action is extinguished by the passage of three years from the date on which the act causing the damages occurred.

Art. 319. Agreement between the parties. In all cases of contractual liability covered by this Law, a higher limit of compensation may be fixed by special agreement between the carrier and the passenger, or with the shipper or sender.

Art. 120. Preference. The security deposited in conformity with this Law for reparation of damages arising from contractual or excontractual responsibilities, shall especially and with preferred status be subject to the payment of the corresponding compensations established in this Law.

Art. 321. Damages on the ground. Damages caused by aircraft on the ground shall be governed by the common or ordinary law.