

GERMANY

PRELIMINARY

The prewar air laws of Germany had not been repealed after the war, although Germany was not permitted any activity in the air. Only on May 5, 1955, was the Federal Republic of Germany given "full responsibility in the field of civil aviation in the Federal territory" (Convention on the Settlement of Matters arising out of the War and the Occupation, as amended by Schedule IV to the Protocol on the Termination of the Occupation Regime in the Federal Republic of Germany, signed in Paris, October 23, 1954, Chapter 12, Art. 1, German Official Gazette, BGBl. 1955, II, p. 405, 456).

The government of the Federal Republic of Germany first submitted a draft aviation law to the Federal Congress on June 28, 1957. Due to lack of time the bill did not pass, and was resubmitted on November 7, 1957 without changes. The lower house passed the bill on October 2, 1958 and the upper house on October 24, 1958. Article 4 of this law, entitled "Law for the Amendment of the Law on Air Navigation" (Gesetz zur Änderung des Luftverkehrsgesetzes) and dated December 5, 1958, provides that the federal minister of transportation may publish a new aviation law, which under Article 7 was to take effect one month from its publication.

The new aviation law is an amended version of the aviation law of August 1, 1922 (BGBl. I, p. 681) as published on August 21, 1936 (BGBl. I, p. 653), the law of September 27, 1938 (BGBl. I, p. 1246), the law of January 26, 1943 (BGBl. I, p. 69), the fourth amendment to the Criminal Code of June 11, 1957 (BGBl. I, p. 597) and the law concerning measures in the field of the law of transportation and of liability in transportation of July 16, 1957 (BGBl. I, p. 710). It was promulgated on December 10, 1958, and took effect January 10, 1959.

For a compilation of air laws and regulations, see Wegerdt-Reuss "Deutsche Luftfahrtgesetzgebung" 3d rev. ed. (Südwest-Deutsche Verlagsanstalt, Mannheim 1959).

LAW CONCERNING AIR NAVIGATION (LUFT VG) OF JANUARY 10, 1959¹

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¹ Published in Bundesgesetzblatt (BGBl.) 1959, I, p. 9. For the Law on Jurisdiction in the Administration of Air Traffic of Feb. 8, 1961 (BGBl. I, p. 69) see *infra*. The Law, amending the present Law concerning Air Navigation, of July 25, 1964 (BGBl. I, p. 529), further amending BGBl. III, p. 96-1, amended Articles 1(2), 2(6), (7), (8), 21(2), (3), 23a, 25(1), (4), 30(1), (2), 31, 32(1), (3), (4), (5), 37, 43, 48, 69, 49a, 51, 56(2), (3), 58(1), (4).