

PART II—LIABILITY

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PART I—AIR TRAFFIC

*Section 1—Aircraft and Flight Personnel**Article 1*

(1) Use of the airspace by aircraft shall be free except as limited by this law, by the law concerning the Federal Institute of Flight Safety (Flugsicherung) of March 23, 1953 (BGBl. I, p. 70) and by the regulations issued for the application of these laws.

(2) Aircraft shall be deemed airplanes, helicopters, dirigibles, glider planes, free and captive balloons, kites, flight models and other instrumentalities intended for the use of the airspace.

Article 2

(1) German aircraft may navigate only when they are licensed for air traffic (Verkehrszulassung) and, insofar as provided for by regulation, registered in the register of German aircraft (Luftfahrzeugrolle). An aircraft shall be licensed for navigation only when:

- 1) the prototype of the aircraft is licensed (Musterzulassung),
- 2) airworthiness is shown in accordance with the testing regulations (Prüfordnung) for flight instrumentalities,
- 3) the operator of the aircraft is insured in accordance with the provisions of this law or has deposited a bond in the form of money or securities and
- 4) the technical equipment of the aircraft is such that the noise caused by its operation does not exceed a level which cannot be reduced in view of technological developments at the time.

(2) Other flight instrumentalities must also obtain a prototype license in accordance with paragraph (1) no. 1.

(3) The provisions of paragraph (1) concerning licensing for air navigation shall apply accordingly to parachutes and starting devices.

(4) The license shall be revoked when the conditions of paragraph (1) no longer exist.

(5) German aircraft shall bear a nationality mark and a special sign.

(6) German aircraft may leave the territory in which this law applies only with the permission of the federal minister for transportation.

(7) Aircraft which are not regularly registered and licensed in the territory in which this law applies, may enter into and navigate within the territory in which this law applies only with the permission of the federal minister of transportation, unless there is a general permission under an agreement between the state whose nationality they have and the Federal German Republic.