

ceptions from the provisions concerning acts in the airspace shall be permitted only to the extent that there is a compelling necessity for the exercise of sovereign functions. Articles 6 to 10 also shall not be affected by the exceptional powers of the police.

(2) The federal minister of defense shall make the administrative decisions necessary for the application of this law and the provisions made for its application insofar as the federal armed forces are concerned. The same shall apply to administrative decisions which are necessary for the authorization and the operation of airports of the armed forces [of other powers] stationed [in the federal Republic] (Stationierungsstreitkräfte). In the case of military airports the authorities of the administration of the armed forces shall take the place of the aviation authorities mentioned in Articles 12, 13, and 15 to 19.

(3) In the establishment and substantial modification of military airports on land which need not be procured by measures taken in accordance with the law on procurement of land, the requirements of area planning, especially those of civil air traffic, shall be duly considered after the governments of the States which are concerned with the establishment or modification have been heard. The federal minister of defense may overrule the position of these States only with the concurrence of the federal minister of transportation; he shall inform the government of the States concerned of his decision. If land for the establishment and substantial modification of military airports is procured in accordance with the provisions of the law on procurement of land, the hearing procedure according to Article 1, paragraph 2 of the law on procurement of land shall apply; in particular, the requirements of civil air traffic shall duly be considered in connection therewith.

*Article 31* [Abrogated by Law of February 8, 1961. See *infra*.]

*Article 32*

(1) The federal minister of transportation, with the consent of the federal council (Bundesrat) shall make the regulations necessary for the application of this law concerning

1) acts in the airspace and on the ground, particularly preparations for flight, acts in taking off and landing, use of airdromes and avoidance of excessive noise caused by aircraft in the air and on the ground,

2) the requirements for the construction, equipment and operation of aircraft and other flight instrumentalities, and further, the registration and marking of aircraft,

3) the classification, size, location, characteristics, equipment and operation of airports and further the prevention of disruption of the devices for air safety,

4) the persons who must have a permission in accordance with this law, including instructors and the requirements for qualification and suitability of such persons and further the procedure for obtaining such permissions and licenses and their revocation or limitation,