

Article 94. The Directorate General of Civil Aeronautics shall supervise the construction and functioning of airdromes and airports open to public service, and those open to private service, insofar as it affects the efficiency and safety of commercial aviation; it shall propose regulations, in conformity with local necessities and the development of aviation, for the operation of airdromes and airports, the movement of aerial traffic in arrival, parking, and departure.

Article 95. All income to the State derived from the rent of all classes of real property and installations used in air services, taxes on aerial traffic and landings shall form a special fund to be used exclusively for the construction, maintenance and improvement of airdromes.

Article 96. In the administrative buildings in the airports of the Republic, the highest authority shall be the Chief of Airport of each airport, and in their respective fields, the representatives or delegates of the Ministries which, by law, must control the services of customs, immigration, etc., but who will be subordinate, with regard to coordination of the provisions enforced or dictated in such centers, to the above mentioned Chief of Airport: all authorities shall be subject to the administrative regulations to be issued through the Ministry of Communications and Public Works in order to harmonize the functions of the personnel.

CHAPTER VIII. CIVIL LIABILITY

Article 97. Carriers and other national air service enterprises shall assume financial liability for damages, including bodily injury or deaths, caused to passengers, through the legally established negligence, inexperience or imprudence of the enterprise or its subordinates or employees in the transport of the same: they shall also be liable under the same circumstances for the loss, destruction, theft or other damages caused to baggage or merchandise or commercial goods transported.

Article 98. They shall also be liable for damages caused by delay in transport services, when this delay is caused by reasons imputable to the enterprise and not based on reasonable precautions for the safety of the passengers and the goods transported, or on measures taken to avoid unnecessary exposure to risks or danger.

The liability prescribed in this Article shall be limited to a maximum of ten percent of the value of the damages proved by the passenger, and to ten percent of the declared value of merchandise.

Article 99. In all cases of liability, the enterprise may be totally exonerated if it establishes legally that the accident or delay was caused by *force majeure* or an unforeseeable accident, and that the enterprise adopted all measures and technical precautions in its power to avoid the accident or the delay.

Article 100. In the case of gratuitous transport, the enterprise shall be liable only for a duly proved intentional act or gross negligence.

Article 101. Except for express agreement between the enterprise and the passenger or shipper, the liability of the carrier as provided for in Article 97 shall be as follows: for accidents, a maximum of Q5,000.00 per passenger. In the case of merchandise, the carrier shall be liable for the total value thereof, and in the absence of documents to