

CHAPTER II. OPERATION OF AIR SERVICES IN HAITI

SECTION I. DEFINITIONS. CATEGORIES AND GENERAL RULES

Article 10 (Categories of air services). For purposes of this decree air services which may be rendered by aircraft, fall into one of the following three categories:

- Public air transport services, scheduled or non-scheduled domestic or international;
- Services of aerial work;
- Private air services.

Article 11 (Public air transport services). 1) Public air transport services have the purpose of commercial transportation of persons, freight or mail.

2) Scheduled public air transport service shall be deemed any service which, by a number of flights open to the public, renders transportation between two or more predetermined points, in accordance with approved itineraries and predetermined and published flight schedules, or with such frequency and regularity that such flights constitute systematic services.

3) Non-scheduled public air transport service shall be deemed any service which does not have all the characteristics enumerated in the preceding paragraph.

4) Air transport services, whether scheduled or non-scheduled, are deemed international, when they cross the airspace of two or more States.

Article 12 (Services of aerial work). Services of aerial work shall be deemed all flights made for another for payment and having such particular purposes as taking aerial photographs or motion pictures; aerial mapping; dropping of articles or matters for agricultural or hygienic purposes; all forms of advertising, publicity or propaganda, such as pulling streamers, sky writing, loudspeakers aboard; for educational or scientific purposes, such as exploration of the soil or subsoil, the study of hurricanes and cyclones, or flight of migratory birds; flight instruction by duly authorized aviation schools; the transportation of persons for air baptism during public aviation exhibitions.

Article 13 (Private air services). Private air services shall be deemed all flight made without payment which have the purpose of tourism, air work, agricultural or otherwise, made for the exclusive benefit of the owner of the aircraft; special service of an enterprise other than a public carrier, or of a person who owns the one or more aircraft used; flight training of pilots in order to obtain a higher license.

Article 14 (Authorization of operation). 1) Public air transport and aerial work services may be rendered only by enterprises duly authorized by the Secretary of State for Commerce and Industry.

2) A public air carrier is any natural or legal person which habitually provided transportation by aircraft for payment.

3) An enterprise for aerial work is any natural or legal person which undertakes for others various kinds of work for payment by use of aircraft.

Article 15 (Insurance for damage to third persons on the ground). 1) All aircraft which renders in Haiti any of the air services enumer-