

*Article 9* (Safety [dégagement] and beacon service). 1) Aviation servitudes shall include:

a) safety servitudes providing for the prohibition to create, or a duty to remove obstacles susceptible of constituting a danger for air flight or dangerous for the functioning of aids to navigation or safety devices established in the interest of air navigation.

b) servitudes for beacon service including a duty to equip or permit the equipment of certain obstacles or places with visual or radio-electric devices intended to signal their presence to flyers, or to permit the identification thereof.

2) The manner of establishing the servitudes considered above shall be determined by an Instruction of the Secretary of State for Commerce and Industry in agreement with the Secretary of State of Public Works, Transport and Communications, in accordance with the provisions of the Chicago Convention and the Annexes thereto.

*Article 10.* (Safety plan). 1) For each airdrome or other installation specified in Article 8, there shall be established by the services of the office of the Secretary of State for Public Works, Transport and Communications in agreement with the Civil Aeronautics Board of the office of the Secretary of State for Commerce and Industry, a safety plan which, after an investigation, shall be approved by an ordinance of the President of the Republic on the proposal of the Secretary of State for Commerce and Industry.

2) After publication of the ordinance of approval in the newspaper "Le Moniteur", the servitudes so created shall be an encumbrance on the land.

3) Inside the area specified by the safety plan there may be ordered the removal or modification of structures, enclosures, plantings or other obstacles dangerous to air flight whose height exceed that specified in the plan; imposing these servitudes shall give rise to a compensation appropriate to the amount of damage caused; in the absence of an amicable agreement, the expropriation procedure shall be applicable.

4) In the area considered in the preceding paragraph, it shall be prohibited to erect new structures, to raise the height of existing structures, or to make plantings or installations conflicting with the safety plan, except by written authorization from the Secretary of State for Commerce and Industry.

*Article 11* (Other servitudes). Outside the areas encumbered by safety servitudes, all installations which, because of their height may constitute an obstacle or a danger to air flight, shall be subject to a special authorization from the Secretary of State for Commerce and Industry, who may impose on such installation such conditions of planting, height or beacon service as is compatible with the safety of air flight.

*Article 12* (Beacon service). 1) The Secretary of State for Commerce and Industry may prescribe;

a) day and night beacon service or day or night beacon service for all obstacles which he deems dangerous to air flight, including unusable portions of the maneuvering area of an airdrome;

b) the establishment of visual or radio-electric devices in aid of air navigation which he deems useful to the safety of air navigation;