TITLE FOUR—INSURANCE

CHAPTER I. COMPULSORY INSURANCE OF PASSENGERS

Art. 996. (Floating policy insurance [Assicurazione in abbonamento].) The floating policy insurance taken out by a carrier in fulfillment of the obligation provided for in Article 941 shall apply to all passengers transported by aircraft in service on all air lines operated by him. The carrier shall monthly submit a numerical list of passengers transported to the insurer, and enclose therewith, for every trip made during the month, a copy of the passenger list as provided for in Article 771, (e).

Art. 997. (Liability.) The insurer shall be liable for the death of a passenger resulting from injuries received during a flight because of violent external causes, provided the accident was not due in part or entirely to the intent of the passenger.

The liability shall run from the moment when the passenger enters the vehicle for land or water transportation provided by the carrier to reach the airport of departure or to embark on the aircraft until, by said vehicle, the passenger, after landing, reaches his place of destination.

Art. 998. (Insurance indemnity.) The insurance must cover passengers up to the amount of five million, two hundred thousand liras.

To recover the indemnity the carrier may act for the passenger against the insurer.[16]

Art. 999. (Indemnities and assistance compensation.) In addition to the limits established in the preceding article, the insurer is liable for indemnities and compensations due for assistance to, or rescue of a passenger up to an amount of two million liras. However, the total amount of indemnities and compensations due by the insurer for one accident to an aircraft shall not exceed twenty million liras.

The insurer shall also be held liable for indemnities due for acts of assistance or salvage even when unsuccessful up to a total amount of two million liras for the same accident to the same aircraft.[17]

Art. 1000. (Recovery of insurance from a carrier.) The insurer may take action of recovery against a carrier for an indemnity paid to a passenger when the damage resulted from intent and gross negligence of the carrier or his employees or agents.

CHAPTER II. INSURANCE OF GOODS

Art. 1001. (Insurance of aircraft, goods and freight.) Aircraft insurance shall cover the aircraft as well as its equipment and separable parts.

The insurance on merchandise shall cover the price of the same at the time and place of loading, increased by ten per cent as a possible profit, as well as the expenses for loading the merchandise by prepaid freight and due in any event, and of the premium and insurance costs.

The insurance on freight to be earned is presumed, until the contrary is proven, to be contracted for the whole amount established by the charter of the aircraft.

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[16] This Article has been amended by Article 11 of the Law No. 202 of April 16, 1954.
[17] This Article was thus amended by Article 12 of the Law No. 202 of April 16, 1954.