

except in the case of paragraph 3, unless such person has obtained a permission of the Minister of Transportation.

2. The provisions of Article 39, paragraph 1, item (4), shall apply to granting permission under the preceding paragraph.

3. In cases where the operator of an airdrome or the operator of an air navigational aid has died, the heir (or the one who has been designated after consultation to succeed to the status, when there are two or more heirs) shall succeed the status of the deceased under the provision of this Law.

4. The heir under the preceding paragraph, when he has succeeded to the status of the deceased under the provisions of this Law, shall report to that effect without delay to the Minister of Transportation.

(Operation or Administration of Airdromes, etc., by the Minister of Transportation.)

Article 56. The Minister of Transportation, when he operates any airdrome or navigational aid or makes any alteration to the facilities thereof, shall comply with the standards under Article 39 paragraph 1 items (1), (2) and (5).

2. The provisions of Article 38, paragraph 3, Article 39, paragraph 2, Article 40, Article 46, Article 49, Article 50 and Article 51, paragraph 1, shall apply in cases where the Minister of Transportation operates any airdrome or air navigational aid or makes any alteration to the facilities thereof. However, the provisions of Article 39, paragraph 2 shall not apply in case where the site of the airdrome has previously been lawfully used for landing or takeoff of any aircraft and there has not been any structure, plant or other materials with a height above the approach surface or transitional surface of said airdrome.

3. The provisions of Article 47, paragraph 1, and Article 51, paragraph 4 (only in so far as they relate to aeronautical obstruction lights under paragraph 1 of the same Article) shall apply in cases where the Minister of Transportation administers airdromes or air navigational aids.

(Exception of First Class Airport, etc.)

Article 56-(2). [As amended by Law No. 90, 1960.] The Minister of Transportation may designate extension approach or conical surfaces or outside horizontal surfaces on first and second class airports as specified by Cabinet Order.

2. An extension approach surface shall be an area comprised by the outside base of the approach surface on the plane including the approach surface extended upward and outward from the slope of the approach surface in a straight line parallel to said base to a horizontal distance of 15,000 meters from the inside base of the approach surface.

3. A conical surface shall be a conical area abutting the outer edge of the horizontal surface and its intersection with the vertical surface including the reference point of the airport which shall not have less than 1/50th outward and upward to the horizontal plane and which shall have a gradient specified by Ordinance of the Ministry of Transportation. Its reflecting plane shall be enclosed by a circle drawn horizontally from the reference point as center with a radius of not more than 16,500 meters as specified by Ordinance of the Ministry of Transportation, and which shall be limited to an area necessary for safety of landing and taking off of aircraft.

4. An outside horizontal surface shall be a horizontal area which includes the upper edge of the conical surface specified in the preceding