

LUXEMBOURG

LAW OF JANUARY 31, 1948, CONCERNING REGULATION OF AIR NAVIGATION ¹

CHAPTER I—GENERAL PROVISIONS

Art. 1. For the application of this law aircraft shall be deemed all machines capable of flying in the atmosphere by the reaction of the air.

Aircraft of the State [shall be deemed] military aircraft or aircraft used in the services of the State, such as police, customs, etc.

Private aircraft [shall be deemed] all aircraft other than aircraft of the State.

Operator of an aircraft [shall be deemed] any person who has the power of disposition over it and who uses it on his own account; in case the name of the operator is not registered in the aviation register or on any other official document, the owner shall be presumed to be the operator unless there is proof to the contrary.

A captain [shall be deemed] any person who is given that authority by the operator or, in his absence, the pilot.

An airdrome [shall be deemed] any center of air traffic, including the installations necessary for such traffic, or any land or water surface equipped, even though only temporarily, for the landing and take-off of aircraft.

Except as otherwise stated, the provisions of this law shall apply only to private aircraft.

Art. 2. Navigation of national aircraft over the territory of the Grand Duchy shall be free, except for the restrictions imposed by this law and those imposed by Grand Ducal decree.

Art. 3. Navigation of foreign aircraft over the territory of the Grand Duchy shall be subject to authorization by the Minister of Transportation.

Such authorization shall not be required for navigation by aircraft registered in States with which pertinent reciprocal agreements have been concluded.

The flight of foreign military aircraft over the territory of the Grand Duchy shall be subject to authorization by the Minister of the Armed Forces.

Art. 4. The flight over all or part of the territory of the Grand Duchy may be prohibited by Grand Ducal decree both to national and foreign aircraft.

Any captain who violates the provisions of the preceding paragraph must land on the nearest Luxembourg customs airdrome or on such airdrome as may be designated.

When he notices that he is flying over a prohibited area, he must give distress signals and land immediately.

¹ Published in *Mémorial*, January 31, 1948, p. 191, *Recueil des Lois*, etc., 1948, p. 22.