

When the accident causes a death, the imprisonment shall be from six months to five years and the fine from 1,000 to 10,000 francs.

Art. 33. Violations of Grand Ducal decrees issued in application of this law shall be punished by imprisonment of not more than one year and by a fine of not more than 10,000 francs, or by only one of these penalties.

Violations of decisions of the Minister of Transport may be punished by imprisonment of from one day to seven days and by a fine of from 50 to 500 francs, or by only one of these penalties.

Art. 34. Any person who has been sentenced for a violation specified in this law or in the decrees issued in application thereof, and who commits a further violation of these laws or decrees within a period of five years from the day when he has suffered or been sentenced to the penalty, may be sentenced to a penalty which is twice the maximum specified for the violation.

Art. 35. All provisions of Book I of the Criminal Code shall apply to violations specified in this law and in the decrees issued in application thereof.

However, in the case of a crime, the court may decide whether Article 43 of the Criminal Code should apply.

Art. 36. The penalties provided for in this law may be imposed without thereby affecting the application of penalties provided for in other criminal or fiscal laws.

They may further be imposed without thereby affecting administrative or disciplinary penalties and damages, if any.

Art. 37. Violations committed aboard a Luxembourg aircraft in flight shall be deemed to have been committed in the Grand Duchy and may be prosecuted therein even if the accused cannot be found in the territory of the Grand Duchy.

Jurisdiction to prosecute such violations and violations provided for in this law and the decrees issued in application thereof, shall be in the State's attorney or the prosecutor of the police court at the place where the violation was committed, that of the residence of the accused, that of the place where he may be found and, in their absence, that at Luxembourg.

Articles 5, 6 and 7 of the Code of Criminal Procedure, as amended by the Law of January 18, 1879 and the Grand Ducal decree of May 25, 1944, shall apply to violations committed aboard a foreign aircraft in flight as if the act had been committed outside the territory of the Grand Duchy. However, a person guilty of a felony or crime committed aboard a foreign aircraft in flight may be prosecuted in the Grand Duchy if he or the injured person has Luxembourg nationality or when the aircraft lands in the Grand Duchy after the violation.

Jurisdiction to prosecute violations specified in the preceding paragraph shall be in the State's attorney at the place of residence of the accused, that of the place where the accused may be found, that of the place of landing and, in their absence, the State's attorney of Luxembourg.

CHAPTER III—POLICE PROVISIONS

Art. 38. Any aircraft whose flight papers as prescribed by the regulations are not produced or whose registration markings do not agree with those of the registration certificate may be detained at the expense