

In the cases referred to in this Article, the carrier shall guarantee payment of the appropriate indemnity in the manner provided for in the Regulations.

Article 350. The right to receive appropriate indemnity for damage suffered, established in this section, and the fixing of its amount, shall be subject to the applicable provisions of the Civil Code for the Federal District and Territories.

Claims for loss of, or damage to, and delay in the receipt of freight or invoiced baggage shall be made to the carrier within three days following the date of receipt or the date on which it should have been delivered. Failure of duty to file a claim shall prevent the bringing of the respective actions.

The right to bring actions to demand payment of the indemnities established in this section shall lapse in ninety days, reckoned from the date the freight or invoiced baggage should have been delivered.

Section Three—Damages to third persons

Article 351. When the operation of an aircraft or objects which fall from it cause injury to persons or damage to property on the ground, liability shall be created by merely establishing the existence of the damage and its origin.

This liability shall devolve on whoever owns or possesses the aircraft.

For the purposes of this Article, "operation of aircraft" shall be deemed all movement of the same on the ground or in flight under operation of its own engines.

Article 352. The indemnity for damages referred to in the preceding Article shall not exceed the maximum limit for each class of aircraft, in accordance with the following table:

Aircraft not weighing more than 5,000 kilos gross weight.....	\$60,000
Aircraft not weighing more than 20,000 kilos gross weight.....	150,000
Aircraft not weighing more than 40,000 kilos gross weight.....	300,000
Aircraft whose weight exceeds 40,000 kilos gross weight.....	600,000

When damage is caused to persons and property, the amount of the indemnity to be determined [for the damage] caused to such persons shall not exceed two-thirds of the damage suffered.

When several people are damaged, the indemnity, without exceeding the aforesaid limits, shall be distributed proportionately to the damages suffered.

The owners or possessors of aircraft shall guarantee the payment of the indemnity for which they are liable by taking out insurance with a duly authorized insurance company or by depositing with the *Nacional Financiera S.A.* the amount of their maximum liability. In the case of owners or possessors of two or more aircraft, the insurance or deposit shall be for double the amount, irrespective of the number of aircraft operated.

The insurance or deposit shall be set up within fifteen days following the date on which the license or permit is obtained or the aircraft is registered.

The Secretariat of Communications shall determine in what cases this obligation must be complied with by foreign owners of aircraft in private service.