

CHAPTER II. THE COMPANY "AIR AFRIQUE"

Art. 135. The company "Air Afrique" established by the treaty of Yaoundé signed on March 28, 1961, shall be deemed to have Nigerian nationality.

CHAPTER III. FOREIGN CARRIERS

Art. 136. The establishment and operation of foreign scheduled air carriers coming from, or going to Niger, shall be subject to prior authorization by the Government.

Art. 137. The plans, timetables, rates and technical facilities for operation of foreign air carriers providing services from or to Niger must be submitted to the competent aviation authorities under the conditions fixed by the latter.

Art. 138. Commercial transportation of passengers and goods between two points in Niger shall be reserved to Nigerian carriers except for special and temporary exceptions.

CHAPTER IV. PENALTIES

Art. 139. When an air carrier violates the provision of Articles 128, 130, 137, and 138, the Minister in charge of civil aviation may decree, for all or some of the activities undertaken, the suspension or withdrawal of the permits or authorizations granted.

Art. 140. Any Nigerian or foreign air carrier who, without authorization or in violation of the conditions prescribed in the authorizations issued to him, undertakes in Niger any air transportation, shall be punishable by a fine.

Such fine shall be imposed by any agent empowered to pursue violations in air traffic matters, particularly by airdrome commanders, and shall be paid in cash to the qualified agents, particularly to collectors of fees attached to airdromes.

Such fine shall be in proportion to the weight of the aircraft and shall be established on the basis of 25,000 frs per ton, for each transport.

The weight considered shall be the maximum take-off weight under the airworthiness certificate.

Any fraction of a ton shall count as a ton.

If payment of the fine is refused, or in case of repetition, the aircraft may be sequestered on the request of the competent aviation authorities.

BOOK IV. FLIGHT PERSONNEL

TITLE I. PATENTS, LICENSES, AND QUALIFICATIONS

Art. 141. The titles designated "patents" denote general overall theoretical and practical knowledge. They are issued after an examination and are permanently acquired by the titleholders.

The title designated "licenses" denote an aptitude and the right, for titleholders of patents, to execute the corresponding functions subject to the qualifications provided for in the following article. Licenses are valid only for a limited time; they may be renewed after periodic examination for the various aptitudes required.