

PERU

REGULATION ON CIVIL AERONAUTICS

Decree No. 22, February 17, 1964¹

TITLE I

CHAPTER I

Article 1. For the purposes of this Regulation, Civil Aviation shall be deemed to be all the activities directly or indirectly related to transportation and use of civil aircraft.

Article 2. Civil Aviation in the Republic of Peru shall be governed by national laws, international treaties or conventions, and by the provisions of this Regulation.

Article 3. The Republic of Peru exercises complete and exclusive sovereignty over the airspace over its territory and territorial waters.

Article 4. Pursuant to Peruvian law, the following acts shall be adjudged within the country:

a) Acts which have occurred, or have been performed, and crimes which have been committed on board Peruvian civil aircraft flying over the high seas or in airspace not subject to the sovereignty of any State.

b) Acts which have occurred, have been performed, and crimes which have been committed on board Peruvian civil aircraft during a flight over foreign territory, unless in such cases the safety or public order of the subjacent State is violated, or damage is caused to persons or property on the ground in such State.

Article 5. Acts which have occurred, have been performed, and crimes which have been committed on board foreign civil aircraft overflying Peruvian territory shall be governed by the laws of the State of registration of the aircraft, except in the following cases, in which Peruvian law shall be applied:

a) When such acts violate the safety or public order of Peru.

b) When, as a consequence of such acts or events, damage is caused to the person or property of third persons on Peruvian territory.

c) When a crime is involved and the first landing after its commission is in the Republic, unless extradition is demanded.

CHAPTER II. AIR TRAFFIC

Article 6. The flight of civil aircraft shall be free in Peruvian territory, provided it is not restricted by national law, international treaties, or conventions, or by the provisions of this Regulation.

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