

such operating carriers is insufficient for the demands of the transport, which must be proved by the carrier that applies for the grant of such non-scheduled flight.

Article 195. Transit flights shall be granted to aircraft of foreign registry in accord with the provisions of Article 7 of this law.

Article 196. Air carriers which offer service over the air routes of Peru shall be authorized to make flights for the sole purpose of rendering aid at which time they may transport passengers or commercial freight.

CHAPTER III. RULES FOR THE ESTABLISHMENT, OPERATION, AND CONTROL OF AIR CARRIERS

Article 197. In accordance with the requirements of this law an operating permit shall be granted for services of:

- a) air transport;
- b) special services.

Air Transport Services by Peruvian Carriers

Article 198. An operating permit for air transport services may be granted:

- a) to operate scheduled domestic and international air services by persons or enterprises of Peruvian nationality;
- b) to operate non-scheduled air transport services by charter type flights over international routes by persons or enterprises of Peruvian nationality;
- c) to operate non-scheduled air transport services of air taxi for passenger and freight within the territory of Peru by persons or enterprises of Peruvian nationality.

The services mentioned in paragraphs a) and b) may be passengers, mail, or freight.

CHAPTER IV. ESTABLISHMENT OF PERUVIAN CARRIERS

Article 199. In order to apply for an operating permit to operate air transport services on the part of Peruvian persons or enterprises, they must be established in accordance with the Peruvian laws as Peruvian commercial entities, and must be recorded in public registers. Their charter must comply with the following basic requirements:

- a) If the operator is a physical person, he must be Peruvian by birth and have his actual domicile in Peru;
- b) The domicile of an enterprise must be in Peru;
- c) The control and management of an enterprise must be in the hands of persons of Peruvian nationality with their actual domicile in Peru;
- d) In the case of an association of persons [partnerships], two thirds at least of the associates jointly liable must be Peruvian and own two thirds of the capital of the enterprise;
- e) In the case of a stock corporation two thirds of the stock corresponding to the capital of the corporation must be stock issued by name and be owned by native Peruvians with actual domicile in Peru. Other than the two thirds of the stock issued by name, the stock may be issued to bearer. Any transfer of