

CHAPTER TWO—AVIATION—OTHER SERVICES

Article 71

1. A permit of the Minister of Transport shall be required for the performance by aircraft of services other than air transport.

2. The Minister of Transport shall issue regulations concerning granting permits, referred to in paragraph 1, and concerning the terms of performance of these services.

PART SEVEN—CIVIL LIABILITY

CHAPTER ONE—LIABILITY OF OPERATORS OF AIRCRAFT FOR DAMAGES CAUSED BY TRAFFIC OF THESE AIRCRAFT

Article 72

1. The liability of operators of aircraft for damages caused by the traffic of these aircraft is regulated by the provisions of the civil law concerning liability for damages caused by the use of mechanical means of transport operated by the power of nature. It shall not apply to damages caused by air transport (Articles 74 to 77 and 86), and other air navigation services (Article 88).

2. There shall be no liability of damages resulting from the regular flight of an aircraft performed in conformity with existing regulations.

Article 73

1. A person operating an aircraft shall be liable for the damages referred to in Article 72.

2. A person who uses an aircraft at the time when damage is caused shall be deemed to be operating the aircraft.

3. A person who transfers the right of use of an aircraft to another shall be deemed to be operating the aircraft if he reserves to himself the right to decide matters regarding the performance of the flight.

4. A person who uses an aircraft himself or through persons acting for him even though they exceed the authority granted to them, shall be deemed to be using the aircraft.

5. A person registered in a proper aircraft register as the owner of an aircraft shall be deemed the operator and shall be liable for damages unless he proves that some other person was the operator.

6. A person who unlawfully uses an aircraft shall be liable for damages: the persons referred to in paragraphs 1 to 5, shall be jointly liable with the latter person unless they prove that the aircraft was used without their consent.

7. The persons guilty of the damage shall be jointly liable with the persons referred to in paragraphs 1 to 6.

CHAPTER TWO—LIABILITY OF AIR CARRIERS

Article 74

An air carrier shall be liable for damages arising out of the death, injury or any other bodily hurt, sustained by a passenger, if the accident which caused the damage occurred aboard an aircraft or during any actions connected with entering or leaving the aircraft.

Article 75

1. An air carrier shall be liable for damages in case of total or partial loss of, or damage to registered baggage or goods, if the accident which caused the damage occurred during air transportation.