

for forty-eight hours in order to permit the judge to go to the place in question and to determine the amount of damage caused, but also, in the case of a violation, the amount of fines and costs.

Art. 35. The persons specified in Articles 80 and 81 shall have the right to attach any Senegalese or foreign aircraft which does not comply with the conditions for air navigation provided for in this Book or whose pilot has committed a violation.

TITLE II. FLIGHT OF AIRCRAFT

CHAPTER I. THE RIGHT OF FLIGHT

Art. 36. Aircraft may fly freely above Senegalese territory provided they observe the rules concerning air navigation and flight. However, aircraft of foreign nationality may fly above Senegalese territory only when they have been granted such right by diplomatic agreement or when they have been granted an authorization which must be special and temporary.

Art. 37. Use of aircraft on maneuvering areas of airdromes and in flight must be in compliance with the flight rules.

Flight rules, and powers and the role of the civil aviation services shall be established by decree.

Flight rules shall be applicable in the airspace under the control of the agency or agencies of the civil aviation services in the territory of the Republic of Senegal.

Outside the airspace as defined above they shall apply to aircraft which bear Senegalese nationality marks to the extent that this is compatible with the rules of the State, or of the international organization which has authority over the airspace where the aircraft is flying.

Art. 38. The right of an aircraft to fly over private property may not be exercised in such a manner as to infringe the right of the owner thereof.

Art. 39. Flight over certain areas or, in exceptional circumstances, the entire Senegalese territory may be prohibited by decree for reasons of a military nature or of public safety. The location and extent of prohibited areas must be specifically indicated in the decree.

Any aircraft committing a violation must land at the first request under the conditions specified in the decree.

Art. 40. Aircraft may not be flown in a negligent or careless manner which may endanger the safety of persons or property on the ground.

Aerial dives and acrobatics by civil aircraft must be executed in compliance with the rules issued in this regard.

Art. 41. Maneuvers of aircraft in public shows may take place only with authorization from the chief of the respective department on notification from the competent aeronautical authority.

When a test consists of a flight including successive landings, authorization shall be granted by the Minister of the Interior on notification from the Minister in charge of civil aviation.

CHAPTER II. LANDING

Art. 42. Except in case of *force majeure* or the cases provided for in the following paragraph, aircraft may only land on, and take off from properly established airdromes.