

*Article 119.* Compensation shall be due for damages caused to persons or property on the ground by the operation of the aircraft while such aircraft is in flight or on the ground or which is caused by objects thrown or which may fall therefrom.

Compensation due as a result of the operation of the aircraft or of an accident, shall be subject to the following limitations:

1. For aircraft up to 1,000 kilos gross weight, six hundred thousand (600,000) *pesetas*.

2. For aircraft weighing more than one thousand but less than six thousand kilos, 600,000 *pesetas*, plus 480 *pesetas* per kilo exceeding one thousand.

3. For aircraft exceeding six thousand but less than twenty thousand kilos, 3,000,000 *pesetas*, plus 314 *pesetas* per kilo exceeding six thousand.

4. For aircraft exceeding twenty thousand but not exceeding fifty thousand kilos, 7,400,000 *pesetas*, plus 186 *pesetas* per kilo exceeding twenty thousand.

5. For aircraft exceeding fifty thousand kilograms, 13,000,000 *pesetas*, plus 120 *pesetas* per kilogram exceeding fifty thousand.

For purposes of this article the weight of an aircraft shall be deemed the maximum take-off weight authorized in the airworthiness certificate issued for the particular aircraft.

Compensation payable for death of or injuries to individuals shall be subject to the provisions of Article 117, increased by twenty per cent. When there are several individuals affected and when the total amount to be paid exceeds the specified limitations, the amounts to be received by each shall be reduced proportionately.

When the party liable therefor is unable to meet all payments of compensation due for damages to persons shall have priority over any other claim resulting from the accident.

*Article 120.* The basis for compensation shall be objectively determined in all cases from the accident or damage, within the limitations provided for in this chapter, and even in instances of unavoidable accident or when the carrier, operator or their employees prove that they acted with due care.

*Article 121.* Notwithstanding the provisions of the preceeding article, the carrier or operator shall be liable for their own actions and those of their employees, and may not involve the limitations of liability specified in this chapter when it can be proved that the damage was the result of an action or omission of the carrier or operator or of their employees which involves intent or negligence. In the case of employees it must also be proved that they acted in compliance with, or fulfillment of their duties.

*Article 122.* Any person who uses an aircraft without the consent of the carrier or owner shall be liable for all damages while the carrier or owner shall be subsidiarily liable within the limitations established in this chapter, unless it is shown that he was unable to prevent such unlawful act.

*Article 123.* In case of a collision between aircraft, the owners thereof shall be jointly liable for the damages caused to third parties.

If the collision occurs due to that fault of the crew of one of the aircraft, the owners of such an aircraft shall be liable for damages and losses, and if the fault is joint or cannot be determined, or due to un-