

Article 39

4. Airport fees. Airport fees shall be submitted for the approval of the Federal Air Office.

Article 40

II. Service of air safety. The Federal Air Office shall organize a service of air safety.

This service shall include in particular the transmission of messages, traffic control, aids to navigation, aeronautical weather services and the marking of flight obstructions.

Article 41

III. Flight obstructions. The Federal Council may prescribe rules to prevent the creation of flight obstructions, to remove such obstructions, or to adapt them to the requirements of the safety of air navigation.

The federal laws on expropriation shall apply to complete or partial removal of flight obstructions that existed before these provisions were enacted.

Article 42

IV. Restrictions on realty. 1. Use without compensation. The Federal Government and the grantees of an airport license shall have the right to gratuitous use of public or private property for installations of the safety service, provided the normal use of such real property, such building or such installations, is not hampered.

However, any damage resulting from the construction and maintenance of installations of the safety service must be repaired.

Article 43

2. Restriction on the right to build. a. Public airports. The Federal Council shall be authorized to provide in an ordinance that no buildings may be erected or other installations be established within a determined area around airports or installations of the safety service or at a determined distance from air routes except when they constitute no danger to air navigation and when the Federal Air Office, in agreement with the other agencies concerned, has approved the plans in advance.

Before application of the ordinance, the plans showing the extent of the restrictions on the right to build imposed for the benefit of an airport, of an installation of the safety service, or of an air route, must be publicly deposited, and a time limit must be fixed within which objections may be entered.

The Federal Laws on Expropriation shall apply to deposit of the plans, to opposition proceedings, and to indemnity claims of the interested parties.

Article 44

b. Private airports. Article 43 shall not apply to private airports. When the Federal Air Office considers a safety zone necessary, its creation shall be accomplished by the purchase of land and by the