

FEDERAL LAW AMENDING THE AVIATION LAW, OF JUNE 14, 1963.¹

I. The Federal Law of December 21, 1948 on Air Navigation (Aviation Law) is hereby amended as follows:

Art. 8. 2. Airports and air routes. Except as otherwise provided by the Federal Council, take-offs and landings may be made only at airports.

For landings of power driven aircraft outside an airport a permit, to be granted in a specific case or for a specific time, shall be required.

Landings outside an airport in the mountains, for purposes of training or practice, or for the transportation of tourists may be made only at airfields which have been designated by the Federal Department of Transportation and Electric Power (Verkehrsund Energiewirtschaftsdepartement) in agreement with the Federal Department of the Armed Forces and the competent Cantonal authorities. The number of such airfields must be limited.

The Federal Air office may prescribe air routes which must be followed by aircraft.

Art. 11. IV. Territorial application of laws. The airspace above Switzerland shall be subject to Swiss law.

The Federal Council may permit exceptions for foreign aircraft provided the provisions of this law regarding liability and its criminal provisions are not thereby affected.

Swiss law shall apply aboard Swiss aircraft abroad unless the law of the State within, or above which they are, must be applied.

The provisions of international agreements, recognized rules of international law and the provision of this law concerning territorial application of criminal provisions shall be reserved in all cases.

Art. 12. I. Police regulations. 1. Jurisdiction. The Federal Council shall issue police regulations for the use of the airspace, in particular for the preservation of flight safety and prevention of aircraft noise.

Art. 15. 4. Special provisions. Special police measures, particularly for the preservation of flight safety and for the prevention of aircraft noise, shall be taken by the Federal Air Office whenever a permit is issued or by special regulation.

Art. 17. 6. Emergency landing. When an aircraft in an emergency must land outside an airport, the commander, following the landing, must obtain instructions from the competent air police authorities via the local authorities.

Until such instructions are received the aircraft, its occupants and contents shall remain under the jurisdiction of the local authorities.

Art. 40. II. Service of air safety. The Federal Council shall organize the service of air safety; this service shall include in particular the services of information for traffic, communications, flight weather, and aviation, and the providing of aids to navigation.

Civil and military services of flight safety shall be combined insofar as the Federal Council does not permit exceptions.

¹ 115 *Bundesblatt*, vol. 1, No. 25 (June 27, 1963) 1400.