

Article 34. Every civil airport or airdrome shall be under the exclusive and direct authority of a chief designated for this purpose.

Article 35. Any airport which in the opinion of the National Government meets the required conditions and has been declared as such, shall be deemed an international airport.

The authorities functioning at international airports shall be subject to the internal regulations concerning international airports.

Article 36. Construction, management, administration and operation of airports, of public or private airdromes and of facilities and installations on civil airdromes, shall depend on an authorization by the aeronautical authority.

The structures and installations on land located in the control areas of airdromes, shall be subject to the provisions of the respective regulations.

Proprietors or operators of civil airdromes shall permit gratuitous use thereof to State aircraft, to aircraft of foreign States on official visit or mission, and to private aircraft used exclusively for tourism, training and agricultural or health purposes and, generally to any aircraft used for search and rescue operations or any aircraft in an emergency.

Article 37. Construction and maintenance of civil airdromes and of public service airports of the installations and services thereof and the purchase of materials for such establishments shall be considered of affected with the public interest and shall not be subject to the formalities of the preceding provision. Signals and installations of all kinds intended to assure proper air navigation shall also be considered affected with the public interest.

Private airdromes shall be considered affected with the public interest when they are so declared by the National Government.

CHAPTER VII. AIR TRANSPORTATION

Article 38. Air carriers shall be deemed commercial organizations which are organized in accordance with the pertinent laws, and which undertake the operation of public transportation services of passengers, cargo, mail or any other activities characteristic of such service.

Flights between two or more points on the same route which follow a published timetable, or which are made in such manner as to be continuous, shall constitute scheduled air transportation. All other kinds of air transportation shall be considered non-scheduled air transportation.

Public scheduled air transportation shall be permanently available to the public and shall be operated in accordance with previously approved itineraries, flight schedules, timetables and rates. Non-scheduled air transportation shall be operated in the form of flights contracted for by the users and payment shall not be less than that authorized for the corresponding scheduled service.

Article 39. In order to obtain a license or permit for the establishment and operation of a public air transportation service, such service must be a public necessity or convenience; it must be performed by a lawfully organized enterprise, with the capacity and technical and financial resources to operate the proposed service, and it must assure the fulfillment of all responsibilities arising from the service