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PAN AMERICAN AIR REGULATION: A COMPARATIVE STUDY

LELAND HYZER*

INTRODUCTION

The use of aircraft as a vehicle of international transportation was recognized following the advances made in the development of aeronautics during the War. Aviation has established itself as a new means of communication. Aerial navigation is free from the obstacles and hindrances that are common to land transportation. So far as physical restrictions are concerned, this new form of transportation is unlimited in its field of operation. Speed is its great asset. Considering mechanical performance, even in the present stage of development, aircraft can traverse and encircle entire continents in a space of time measured in hours and days, where other means of transportation require weeks.

The effect of the removal of, and freedom from, physical limitations is lost if the operation of international air transportation is to be fettered by varied and uncertain and differing laws and regulations passed by each country. Certainty, stability, and general uniformity are requisite for the efficient operation of aircraft in international air navigation. The countries of the world acknowledged this necessity in 1919 when the International Convention on Air Navigation was drafted, and included as a part of the Versailles Treaty at the close of the war.

The countries comprising the Pan American Union have indicated their interest in an international code for the regulation and control of air navigation in the Convention on Commercial Aviation adopted in the Seventh General Conference in Havana in 1928.

Notwithstanding the interest displayed in international conventions and codes, and recognizing that as time goes on, adherence to them will increase, the fact remains that ratification of such conventions is not now general, and they are in effect in only a few countries. The early ratification of the Havana Convention by all the signatory powers is anticipated and desired. However, even

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if the adoption of these conventions was universal, they must, of necessity, be flexible in their provisions. Much of the regulation must be left to the individual countries. It is in the matter of regulations and rules, such as licensing of aircraft and pilots and operators, rules covering air traffic, the documents required for the entry and clearance of aircraft, that uniformity is desired. A general pattern must be created on which the individual countries can frame their laws.

It was with this objective in view that the drafters of the Havana Convention of 1928 on Commercial Aviation inserted the following provisions, in Article 32:

"The contracting States shall procure as far as possible uniformity of laws and regulations governing aerial navigation. The Pan American Union shall cooperate with the Governments of the contracting States to attain the desired uniformity of laws and regulations for aerial navigation in the States party to this Convention.

"Each contracting State shall exchange with every other contracting State within three months after the date of ratification of this Convention copies of its air traffic rules and requirements as to competency for aircraft commanders, pilots, engineers, and other members of the operating crew, and the requirements for airworthiness of aircraft intended to engage in international commerce.

"Each contracting State shall deposit with every other State party to this Convention and with the Pan American Union three months prior to the date proposed for their enforcement any additions to or amendments of the regulations referred to in the last preceding paragraph."

This Article imposes a duty upon the nations which ratify this Convention to bring about a uniformity in their aviation laws and regulations. No organized effort appears so far to have been made to carry out the intention of Article 32, and each nation has, to a large extent, followed its own individual ideas in passing laws and regulations covering aerial navigation.

It is recognized that a system of uniform national law adopted internationally is a novel suggestion. The airplane, with its speed of operation, has created a situation that cannot be treated with existing ideas.

The following countries, members of the Pan American Union, have passed some form of law, or their governments have issued decrees regulating the operation of aircraft:

(1) ARGENTINA, Decree, September 4, 1925; Customs Regulations, March 19, 1930.
(2) BRAZIL, Decree of April 22, 1931.
(3) BOLIVIA, Decree of October 24, 1930, and June 15, 1932.
So far as the writer has been able to determine, Costa Rica, Haiti, and Paraguay have not, at the time of the making of this compilation, passed laws or issued decrees regulating the operation of aerial navigation in their respective countries.

Much time has been required to obtain copies of the laws on which the following study has been based. In the interval involved in the preparation, changes and amendments may have been adopted which would affect the comparisons hereinafter set out. As there is, at the present time, no central source of information as to all of the laws, such possible changes cannot be guarded against. However, the laws and regulations at hand will amply serve the purpose of this study.

A comparative study of the provisions of the above decrees and laws has been made for the purpose of determining wherein there is uniformity or the lack of uniformity.

Comparison of General Provisions

Certain general provisions for the regulation of aircraft are to be found in most national laws, and these general provisions have been used as a base for the comparison of the above laws of the countries of the Pan American Union.

These general provisions will be outlined and their existence or non-existence in the laws of the various countries will be indicated.

1 and 2. Costa Rica and Paraguay appear to have issued Decrees setting forth requirements for flight over their country. The full text of these Decrees is not available. The regulations now in force in Costa Rica are set forth in the Air Committee Bulletin of the United States Department of Commerce, Volume 3, Page 563. The regulations in force in Paraguay are set forth in Air Commerce Bulletin of the United States Department of Commerce, Volume 3, Page 567.
The Control or Supervision of Aviation Is Placed Under a Department or Ministry of the Government.

The laws of the following countries contain a similar provision:

Argentina, Bolivia, Brazil, Chile, Cuba, Mexico, Nicaragua, Panama, Peru, Salvador, United States, and Venezuela.

Some of these countries have created independent commissions or bureaus; others have created new departments or branches in the existing departments.

The following countries make no provision in their laws for any controlling body:

Colombia, Dominican Republic, Ecuador, Guatemala, Honduras, Uruguay.

Definitions of the Terms “Aircraft,” “Airships,” Etc.

The laws of the following countries contain such definitions:

Argentina, Chile, Cuba, Mexico, Nicaragua, Panama, Salvador, United States, and Venezuela.

In the laws of the following countries there are no definitions:

Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Honduras, Peru, and Uruguay.

Designation of State Aircraft and the Division of the Same Into Military and Naval, and Aircraft Belonging to Administrative Departments, Such as Customs, Sanitation, Etc.

The laws of the following countries contain such provisions:

Argentina, Chile, Cuba, Honduras, Mexico, Nicaragua, Panama, Peru, United States, and Venezuela.

The following countries make no such designation in their laws:

Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Salvador, and Uruguay.

Designation or Classification of Private Aircraft:

The following countries have included such provisions in their laws:

Argentina, Chile, Cuba, Honduras, Mexico, Nicaragua, Panama, Peru, United States, and Venezuela.
The following countries have no such classification: Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, Guatemala, Salvador, and Uruguay.

(5) *A Provision Subjecting All State Aircraft Other Than Military, Naval, Customs, and Police, to the Regulations Provided for in the Decree or Law.*

The laws of the following countries contain such provisions: Argentina, Brazil, Honduras, Mexico, Nicaragua, Peru, United States, and Venezuela.

No such provision is made in the laws of the following countries: Bolivia, Chile, Colombia, Cuba, Dominican Republic, Ecuador, Guatemala, Salvador, Panama, and Uruguay.

(6) *A Definition of Airspace.*

The laws of the following countries contain a definition: Argentina, Bolivia, Chile, Cuba, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru, United States, and Venezuela.

No such definition is made in the laws of the following countries: Brazil, Colombia, Dominican Republic, Ecuador, Salvador, Uruguay.

(7) *A Requirement That Aircraft and Operators Be Licensed by the Department in Control of Aviation or by Countries Which Reciprocate in the Recognition of Licenses Granted by Another Country:*

Such a provision is contained in the laws of: Argentina, Bolivia, Brazil, Chile, Cuba, Mexico, Nicaragua, Panama, Peru, United States, and Venezuela.

None of the other countries contain such a provision.

(8) *Requisites or Conditions Precedent to Operating Aircraft, Such as Airworthiness, Ownership by Nationals, and Pre-arranged Terminal Facilities.*

The laws of the following countries require similar requisites: Chile, Cuba, Honduras, Mexico, Nicaragua, Panama, Peru, Salvador, and United States.
The other countries have included no such provision in their laws and decrees.

(9) *The Specification That the Nationality of Aircraft Shall Be That of the Country Wherein it Is Registered.*

The following countries have inserted such a provision in their laws:

Argentina, Bolivia, Chile, Cuba, Guatemala, Honduras, Mexico, Nicaragua, Peru, United States, and Venezuela.

No such provision is contained in the laws of the other countries.

(10) *Requirements as to Certificates, Documents, and Conditions Precedent for the Entry of a Foreign Aircraft Into a Country or the Airspace Thereof.*

While there is a certain similarity in the provisions of the various countries in regard to the certificates and documents and conditions precedent required for the entry of an aircraft into the various countries, there is sufficient lack of uniformity in the various provisions which make it advisable to set forth the exact wording of the laws in this respect.

**Argentina**

*Article 3.* No foreign civil or military airship conducted or manned by a personnel belonging to an armed institution or to any branch of the Administration of a foreign country will be permitted to land or alight within the frontiers of the country or on the waters under Argentine jurisdiction, nor to fly over said space without obtaining previous authorization granted by the Executive Power (Ministry of War or Navy) and requested through diplomatic channels. In case of the said permission being granted, the personnel must have their documents in due order; the airship must strictly fulfill the regulations which may be established.

*Article 4.* No civil or foreign airship—by this is understood private machines or those belonging to sporting institutions or commercial, whether they be piloted and boarded exclusively by persons not connected with any branch of a foreign state—will not be permitted to land, alight or fly over the national territory or within its jurisdiction without having previously obtained the authorization to do so from the Executive Power (Ministry of War or Navy), and in case it is granted it must fulfill the prescriptions which may be established and its personnel must have the corresponding documents in due form.

*Article 5.* Airships belonging to countries with which special agreements for flying have been established, which will be regulated in accord-
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ance with the conventions in force, are excepted from that which is estab-
lished in Articles 3 and 4.

Article 6. In granting the authorization referred to in Articles 3 and 4, when airships are to go out or return to the country, the following will be stipulated:

(a) Road to be followed by the airship when entering, flying, or leav-
ing the national territory.
(b) Custom-house aerodrome, landing or alighting place or decollage
(eventually).
(c) Time granted to stay in or out of the country (eventually).

Bolivia

Identical to the law of Argentina, except that application for author-
ization shall be made to the Minister of Foreign Relations.

Brazil

"It is the duty of the Administrative Division (of the Department of
Civil Aeronautics) to provide for:

"(3) Formulation of rules and instructions for execution of interna-
tional conventions and of Brazilian laws relating to Civil and
Commercial Aeronautics."

The following conditions must be met by foreign aircraft flying over
Brazilian territory:

(a) Aircraft shall be registered and shall bear indications of nationality
and registration, as well as the name and residence of the owner.
(b) The aircraft must carry the respective certificates of registration
and airworthiness. There must be made in connection with the
certificate of airworthiness a notation showing the period for which
the certificate has been issued and the conditions under which it
has been granted.
(c) The crew of the aircraft must carry the necessary documents,
certificates of registration, and licenses.
(d) The aircraft shall keep the documents and log books up to date.
(e) There must be carried on board the aircraft a license indicating
the type of aircraft and purpose for which it is to be used; docu-
ments pertaining to the passengers and merchandise transported;
and a copy of the Brazilian laws, regulations, and instructions
concerning or applicable to air navigation.
(f) Aircraft shall carry the equipment necessary for the service for
which they are destined.
(g) There must be compliance with regulations pertaining to the gen-
eral safety of flight and with regulations prohibiting the throwing
of articles from aircraft.
(h) Except in unforeseen cases duly proven aircraft shall not land or
leave except at or from the aerodromes or landing fields.
(i) All legal requirements imposed by the constituted authorities in
any locality must be met.
(j) Aircraft may not leave an aerodrome until it has received from
constituted authorities of the aerodrome a pass to leave, which
must be shown after landing to the authorities of the next airdrome.

Costa Rica

In order to make a flight from one field in Costa Rica to another field in Costa Rica it is necessary for the pilot to be in possession of a permit to leave, issued at each field of departure in Costa Rica, and specifying the field in that country to which the flight, in each instance, is to be made. The names of the pilot and any passengers must be furnished, as well as the name and number of the aircraft, etc. The same kind of information will be required in the event that the pilot makes short pleasure trips by returning in each instance to the field from which he departs.

Before a permit to leave one field in Costa Rica for another field in that country will be granted, the aircraft will be subject to inspection, to see that no arms, ammunition, explosives, or photographic apparatus are carried without the special authorization of the Ministry of Public Safety.

Chile

Article 14. Every private airship with registration authorized by a State party to the C. I. N. A., C. I. A. N. A., and C. A. C. H., has the right to cross the airspace of the State without landing following the routes which the respective regulation fixes. However, for reasons of general safety, it will be obliged to land if it receives the order for doing so by means of the prescribed signals.

The airships not included in this article, and commercial planes, will seek the respective authorization from the corresponding Ministry through diplomatic means, in order to fly over the national territory.

Article 17. Every airship which flies over the national territory should go provided with:
(a) A certificate of registration.
(b) A certificate of navigability.
(c) The patents and licenses of the Commander, of the pilots, and of the crew.
(d) If it transports passengers, the nominal list of these.
(e) If it transports merchandise, the bills of lading and manifests.
(f) The log-books.
(g) If it is provided with radio-electric apparatus, the license provided in Article 13.
(h) At its entrance to the country, the airships should bring the patent of health signed by the respective consul in accordance with consular legislation then in force, or which he may dictate; the crew and passengers should present the documents which the Law of Residence and the sanitary dispositions demand.

Article 25. No foreign military airship can fly over the national territory, nor land in it, if it does not have special authorization from the Government of Chile. In this case, the military airship, save when stipulated to the contrary, will enjoy, from the beginning, the privileges habitually conceded to the foreign ships of war.

A military airship which lands forcibly or is required to or signalled
to land, will not acquire, by this deed, any of the privileges provided in the present Article.

**Colombia**

The Colombian Government must receive information on the following points from the American Legation in Bogota, in all cases where requests are made for permission to make special flights in Colombia:

1. The names of the pilot, crew and passengers.
2. The route, in detail, to be followed by the aircraft both in entering and leaving Colombia, including the places where landings in Colombia are contemplated.
3. The approximate date of arrival in Colombia and intended length of stay therein.
4. The name, motor power, type, and markings of the airplane.

Under existing Colombian legislation, all aircraft entering Colombia are required to present at the first port of call within the country a bill of health issued at the last port of call abroad and vouched by the Colombian consular officer thereat. If there is no Colombian consular officer at the last foreign port of call, a bill of health issued or vouched by the consul of a friendly Government may be accepted. In the case of noncommercial aircraft which through special circumstances cannot comply with these requirements, the Colombian authorities will accept health certificates issued by the local public health authorities at the point of departure for Colombia.

**Cuba**

*Article 2.* The Republic of Cuba can freely grant or deny authorization for flying over its territory or landing on earth or water within its limits to private airships, whether they are of Cuban nationality or foreign.

Authorization will be granted, subject to what is set forth in the present Regulation, of a general character, to the airships of any nation, or especially, to one or more airships.

It will be considered illegal to fly over the national territory or land on earth or water in the same, without previous authorization, leaving, as a consequence, the airships and their crews subject to the sanctions which the laws and regulations place upon them, and to the jurisdiction of the National Tribunal, except in cases of damage by sea or forced landing, duly proved.

*Article 31.* Every airship destined for the service of transport of passengers and merchandise, which flies over the national territory should carry with it the following documents:

1. Certificate of registration or inscription.
2. Certificate of safety of the ship.
3. Certificates of capacity of the personnel.
4. Lists of passengers.
6. Manifest of the cargo.
7. The authorization to which Article 28 refers, in case of having radio-telegraphic apparatus.
8. The log-books which determine the Commission.
Foreign airships must carry in addition, the authorization to which Article 2 refers when they fly transitorily.

Dominican Republic

Article 2. DOCUMENTS AND INFORMATION REQUIRED:

Immediately upon the arrival of the plane, the pilot will furnish the Representative of the Customs Authorities, with the following data:

(A) The Clearance of the last Port from where the plane left (A copy of the Clearance).

(B) A Statement in triplicate, showing:
   1. Name or Number of Plane.
   2. Nationality.
   5. Name of Consignee.
   6. Name of last Port from which the Plane left.
   7. A list of all the cargo intended for this Port (outside of the Passengers' baggage, and Packages under the custody of the Pilot), specifying the name of the shippers, consignees, description, and quantity of merchandise, marks, and shipping Port.
   8. The Certificate at the foot of this Statement or Declaration, should be signed by the Pilot, as follows:
      "I Certify that the above Declaration is correct to the best of my knowledge, and that the article aboard the Plane, pertain to the avion equipment, or are for the personal use of the members of the crew, amongst them the following fire arms and munitions (give a detailed list of fire arms and munitions)."

(C) List of Crew:
   1. Names.
   2. Nationality.
   3. Age.

(D) List of Passengers:
   1. Name.
   2. Place of Origin, and Destination.
   3. Nationality.
   4. Age.
   5. Sex.
   6. Color.
   7. Civil Stage.
   8. Baggage (if trunks, valises, boxes, bales, etc.) (Specify how many each passenger.) (2 sets.)

(E) List of Packages brought under the custody of Pilot (2 sets).

Ecuador

No law has been obtained showing the requirements of such documents.
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El Salvador

Article 17. Each airship destined for commercial navigation should carry under the care of its Commander:

1. A certificate of registry, strictly authenticated in accordance with the laws on the subject in the country in which it has registered;
2. A certificate of navigability;
3. A certificate of competency of the Commander of the airship, pilots, mechanics, and crew;
4. If it transports passengers, the nominal list of these, their residences and nationality;
5. If it transports merchandise, the bills of lading and manifests, and in general, the documents required by the fiscal laws of Customs and Sanitation for maritime navigation;
6. Certificate of sanitation of the last airport in which inspection was made.

Guatemala

Article 13. In time of peace, aircraft of any nationality which have been duly matriculated, shall have the right of transit over the national territory, providing they observe the provisions established in the present Regulations.

Article 14. Aircraft of any nationality, their crews, passengers, baggage and cargo, when they find themselves over national territory, shall be subject to the liabilities resulting from the existing laws, especially to those relative to aerial navigation in general, insofar as said laws apply to all foreign aircraft without distinction of nationality; to customs and other fiscal duties; to the prohibitions against imports and exports; to the transport of persons and things; to the public safety and order; and to the system of passports and sanitary regulations. They shall, moreover, be subject to the liabilities resulting under the general legislation in force, except where the provisions of the present Regulations are to the contrary.

Article 16. The Government of the Republic reserves the right to restrict or prohibit, provisionally, in time of peace, either entirely or partly, and with immediate effect, in case of exceptional circumstances, all aerial navigation over its territory.

Article 18. Aircraft shall be provided with distinctive markings, plainly visible and which make it possible to verify their identity during flight (markings of nationality and matriculation). They shall carry, in addition, the markings of the name and domicile of the owner.

Aircraft shall be provided with certificates of matriculation and navigability, and with all the other documents required in the country of origin for aerial navigation.

Article 19. All the members of the crew, who perform in the aircraft duties which are subject in her country of origin, to a special authorization, must be provided with the documents required in the country of her nationality for aerial navigation, and especially of the regulation certificates and licenses.

The other members of the crew must be provided with documents accrediting their position on board, their profession, their identity, and their nationality.
The crew and passengers must be provided with the documents necessary in conformity with the laws in force for international travel.

**Article 23.** Aircraft transporting passengers and merchandise must be provided with a nominal list of the passengers, and with respect to the merchandise, with a manifest giving the description of the quality and quantity of the cargo, as well as with the necessary customs declarations.

If, upon arrival of an aircraft, any discrepancy is noticed between the merchandise carried and the aforesaid documents, the customs officials of the port of entry shall decide what they may deem most convenient in that regard, and give immediate advice thereof to the General Administration of Aeronautics. The carriage of postal merchandise shall be regulated by means of special agreements with the General Postal Administration, with the approval of the respective Secretary.

**Honduras**

**Article 9.** The registry inscription and certificate of registration must contain a description of the airship, and shall indicate the number and any other mark of identification given to the apparatus by its constructor, the registration number belonging to the ship, its nationality, the airdrome or airport customarily used by the aircraft, the full name, nationality and domicile of the owner, and the date of registration.

**Article 20.** The registration of foreign airships shall be recognized in Honduras, provided they carry with them the respective certificates of navigability and competence.

**Article 21.** Every airship to be used for international navigation shall carry in the custody of its commander:

(a) A certificate of registration, duly authenticated in conformity with the laws of the State in which it may have been registered.

(b) A certificate of navigability issued by the respective official of the State whose nationality is held by the ship.

(c) A certificate of competency of the commander, the pilots, mechanics, crew and radio operators.

(d) If passengers are transported, the list showing their names, residence and nationality.

(e) If merchandise is transported, the bills-of-lading and manifests.

(f) If correspondence is transported, the respective postal manifest.

(g) The navigation logs, and

(h) If it is equipped with radio-telegraphic apparatus, it shall carry the respective license.

**Article 23.** The certificate referred to under letter (b) of Article 21, shall certify that in the opinion of the official issuing the certificate, the ship is in good condition for service. The Commander shall always have said certificate in his custody, and shall be obligated to present it for inspection by the official who may visit the ship.

**Article 24.** The certificates of competency of the Commander, pilots, mechanics, radio operators and other members of the crew of the airships, issued in foreign countries with which Honduras may have entered into commercial aviation treaties, shall be recognized as fully valid in the country.

**Article 41.** Immediately after landing in national or jurisdictional territory or waters, the pilot, captain or local agent of the airship proceeding
from a foreign country, shall deliver the following documents to the respective Customs or local employee:

(a) List of the passengers and statement of personal baggage.
(b) Cargo manifest.
(c) Postal manifest.
(d) Clearance papers or permit to depart, issued to the ship at its last point of departure.

If the airship should come from a place or country which is doubtful with respect to health conditions, an appropriate health certificate from said place will be required. In this case, the airships, merchandise, crew and passengers shall be subject to the provisions on sanitation of the Republic and of the Pan American Sanitation Code. Should the airship not turn over its documents in due form, the customs employee may permit disembarkation from, and unloading of, the airship; but will impose a fine of from twenty-five to one hundred pesos upon the ship.

**Mexico**

*Article 7.* No alien airship shall be permitted to fly, land or alight on waters within the frontiers of the country or on Mexican territorial waters, without previous authorization of the Mexican Government, to be granted through the channels of the Department of Communications and Public Works.

*Article 8.* The flying personnel of the alien airships, having a license to fly, land or alight on waters within the national territory or on the territorial waters, should be provided with the proper documents in accordance with the laws of their country, in due form, and the airship should comply strictly with the requirements such as are exacted by the corresponding laws.

*Article 9.* There are excepted in connection with the provisions contained in the preceding articles, the airships pertaining to countries with which there are negotiated or have been negotiated special agreements covering aerial navigation, which are to be governed by the conventions already in force.

**Nicaragua**

(Order of April 22, 1929—)

*Article 1.* Airships that are not the property of other Governments or are not on a military mission or visit of courtesy, should be visited by a customs official, a police official and a sanitary official, to whom the pilot shall present the following documents:

*Article 2.* To the Police Official: A permit extended by the highest political or Military authority of the place from which it arrived, and a list of the crew and passengers with their names, and indicating their civil state, age, profession and occupation, and object of entry into the Republic.

*Article 3.* To the Sanitary Officer: A bill of health declaring that six days prior to the sailing of the airship no epidemic or contagious diseases were registered at the place of sailing or its surroundings.

*Article 4.* To the Customs Official: A list of the passengers, with specifications of the packages belonging to each passenger.
Article 5. A list of the crew and their effects found aboard the airship.

Article 6. A list in duplicate of the merchandise, with indications of the mark, numbers, quantity of packages, also the name of the consignor and name of the owner or consignee.

Article 7. A list in duplicate of the mail sacks.

Article 8. A declaration signed by the pilot that no other objects than those specified in the documents presented to the Customs Official were found aboard.

(Decree of October 1, 1929)

Article 2. In time of peace, freedom of inoffensive flights is granted to all aircraft whether commercial or private that are subject to the regulations of this law.

Article 6. The registration of foreign aircraft that have been registered in friendly countries will be fully recognized in Nicaragua providing that they carry with them the corresponding certificates of navigability and competence.

Article 10. Before leaving from any foreign country bound for Nicaragua the pilot of the aircraft making the flight must notify the Collector General of Customs (Recaudador General de Aduanas) in ample time, specifying the type of aircraft, its distinguishing marks and the name of the pilot. The Collector General of Customs will forward said message to the Minister of Aviation. In the case of aircraft that have established a regular service with a foreign country it will not be necessary to forward this previous advice and it will be sufficient that the Government of Nicaragua be given the proposed itinerary.

Article 11. The unloading or the landing of passengers will not be permitted until the requirements of this law have been fulfilled. Immediately after an aircraft from a foreign country lands in territory or on waters in Nicaragua or under the jurisdiction of Nicaragua, the pilot, captain, or the local agent of the aircraft must present to the Customs Authorities, who must be present at the airport or airdrome at the time of landing, the following documents and no others:

(a) List of passengers and a description of their personal baggage.
(b) List of the crew.
(c) Manifest of the cargo.
(d) Permit of departure issued by the authorities of the last place from which the aircraft departed. If the aircraft is proceeding from a place or country suspicious from the point of view of public health or that does not belong to a line giving regular service, there will be required in addition a certificate of health issued from the last place at which the aircraft landed. Should such certificate not be presented it remains to the judgment of the health authorities whether the aircraft be admitted or not. If the aircraft is not admitted, the aircraft, merchandise and passengers will be obliged to remain in quarantine in a special camp or in a place which will be designated by the health authorities. If an aircraft does not present the papers in the required form, the Customs Authorities can,
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if they so desire, permit the landing of passengers and the un
loading of cargo from the aircraft which will be liable to a fine
of C25.00 in the judgment of the same authority.

Panama

(Decree 147)

Article 29. As the Government of the Republic of Panama has com
plete sovereignty over the airspace of all the lands and waters of the Re
public of Panama, with the exclusion of all foreign nations, no airship
which forms part of the armed forces of any foreign country can fly
over the Republic of Panama, except in accordance with the authorization
for it which has been granted by the Secretary of Government and Justice.

Article 30. Foreign airships which do not form part of the armed
forces of a foreign country can fly over the Republic of Panama only when
they have been authorized in the form outlined further on in this same
article; and such authorization being obtained, these airships and the airmen
who run them will be subject to the requisites of Article 24, unless they
are exempt according to the following article.

Article 31. Whenever the civil airships of the Republic of Panama
obtain permission to fly over a foreign country or over its airspace without
the registry qualification and license of the airmen being demanded, the
registered airships of that country which are not part of the armed forces
and the airmen which fly them, can operate in the territory over which
the Republic of Panama has jurisdiction, without the necessity of regis
tration and license issued by the Department of Government and Justice
of the Republic of Panama. Such foreign airships will not undertake op
erations of interprovincial air commerce and must observe the regulations
of air traffic. Before beginning any flight over the Republic of Panama
or territory under its jurisdiction, the Secretary of Government and Justice
should be notified, in writing, of the name of the owner, his address and
the registration marks which the airship carries, and the purposes of the
flight.

(Decree 150)

Article 5. Before leaving a port or other foreign place, headed for the
Republic of Panama, the pilot of any airship will first inform the Customs
employee of the place of destination concerning the type of airship, its
marks, the name of the pilot and the approximate hour of its arrival. The
Requirements of this advance notice will not apply, however, after a serv
ice with fixed and regular itinerary has been established for said airship.

Article 6. The person who has in his charge any airship arriving in
the Republic of Panama from a foreign port will inform the Customs em
ployee of the port of entry, or in the customs house to which said airship
has first been destined in the Republic of Panama, immediately, of his
arrival, and will comply with the immigration and customs laws and regu
lations of the Republic of Panama.

Article 7. Airships which make round trips every ten days or less,
or which are used in an itinerary between ports of the Republic of Panama
and foreign ports, will not be subject to registry in the customs house of
the place of arrival and departure, provided that the persons in charge of
said airships inform the customs employee concerning any baggage and merchandise on board, immediately after its arrival.

**Article 12.** The person in charge of an airship which arrives from a foreign part or place will inform the customs official of the airport of entrance or of any other place in which his first landing in the Republic of Panama takes place, immediately, of his arrival, and if there is merchandise or baggage on board such airship, or in case it is a Panamanian airship which has been repaired in foreign (territory), the person in charge of the airship will present to the customs official a manifest in the form prescribed by the Secretary of Finance and Treasury, signed by this person under oath of telling the truth in all declarations therein contained, and with certification of their being authentic, made by the one in charge of the airport of origin. No airship under such conditions may depart from the airport or place of its first landing, nor unload any merchandise, passanger or baggage, without having first received from the Customs official permission to do so.

**Peru**

**Article 2.** The Republic will accord in time of peace to airships of other friendly states, the freedom of inoffensive passage through the airspace of its territory, provided that the established conditions of this regulation are observed.

The rules established by the State for admission over its territory will be applied without distinction of nationality.

**Article 9.** Following the practices of international navigation, all airships, according to the conditions in Annex B must carry a certificate of airworthiness, executed and declared valid by the state whose nationality the airship is.

**Article 10.** The commander, the pilots, the mechanics and other members of the personnel of the crew of the airplane ought to be provided with their warrants of fitness and with licenses in accord with Annex E or made valid by the state whose nationality the ship is.

**Article 11.** The certificate of navigability, the warrants of fitness and the licenses issued and declared valid by the state to which the airship belongs, and issued in conformity with the rules fixed by Annexes B and E, and in the future by the Pan American Union, will be acknowledged valid by the State.

**Article 17.** Every airship engaged in international navigation will have to carry:

A. A certificate of registration, which conforms to Annex A.
B. A certificate of navigability, which conforms to Annex B.
C. The warrants and licenses of the commander, of the pilots and men of the crew, which conform to Annex E.
D. If it has to carry passengers, the names of them.
E. If it carries merchandise, the bills of lading and manifest.
F. The navigation books, conforming to Annex C.
G. If it is equipped with wireless apparatus, the license provided for in Article 13.

**Paraguay**

All foreign airplanes which for whatever cause require to cross Paraguayan territory must effect their landings in the military airdrome at
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Campo Grande, except when special authority or convention between governments exempts them from this obligation.

In the airdrome at Campo Grande the crew will conform to clauses 17 and 18 of the ground regulations of the airdrome which read:

17. Regarding foreign airplanes the ground officer will communicate by memorandum (por volante) to the chief of the unit, the following data:
   (a) Names of pilot, crew, and passengers.
   (b) Type of plane, capacity, motor.
   (c) Reason for landing.
   (d) Duration of stay.
   (e) Name and antecedents of the personnel charged with the custody of the airplane, so that the respective military authority may extend passes permitting the personnel to enter and leave the base.
   (f) The eventual destination.

18. The authorization to remain in the airdrome granted to the crew of the aircraft, as specified in the previous clause, is personal and other persons interested in visiting the aircraft must apply for the corresponding permission.

United States

Section 6. Foreign Aircraft.

(a) The Congress hereby declares that the Government of the United States has, to the exclusion of all foreign nations, complete sovereignty of the airspace over the lands and waters of the United States, including the Canal Zone. Aircraft a part of the armed forces of any foreign nations shall not be navigated in the United States, including the Canal Zone, except in accordance with an authorization granted by the Secretary of State.

(b) Foreign aircraft not a part of the armed forces of the foreign nation shall be navigated in the United States only if authorized as herein-after in this section provided; and if so authorized, such aircraft and airmen serving in connection therewith, shall be subject to the requirements of section 3, unless exempt under subdivision (c) of this section.

(c) If a foreign nation grants a similar privilege in respect of aircraft of the United States and/or airmen serving in connection therewith, the Secretary of Commerce may authorize aircraft registered under the law of the foreign nation and not a part of the armed forces thereof to be navigated in the United States, and may by regulation exempt such aircraft, and/or airmen serving in connection therewith, from the requirements of section 3, other than the air traffic rules; but no foreign aircraft shall engage in interstate or intrastate air commerce.

Uruguay

Article 1. (Decree May 9, 1930.) In the passenger and mail air services, the Consulates of the Republic having jurisdiction where aircraft descend will visit the following documents of concern to their offices: Ballast certificate, Local sanitary certificate, consular bill-of-health, and list or roster of the crew, charging in this connection, for the clearance, two pesos in consular fees and affixing the appropriate stamps to the ballast certificate.
Article 1. (Order of June 13, 1930.) In addition to the documents established by the decree of May 9th of the present year, for the clearance of aircraft, there shall also be required a list of passengers, the inclusion of which does not mean a modification of the procedure and the consular fee referred to in the said decree of May 9th.

Venezuela

Article 6. In time of peace, both national and foreign airships may fly and land on earth or water within national territory, provided they observe the requirements stipulated in this Law and the Regulations issued hereunder.

Article 9. Navigation of foreign airships, whether official or privately owned, is subject to the rules made by the International conventions ratified by the Republic, and in the absence thereof, by the provisions of this Law and the Regulations issued hereunder.

Article 20. Airships crossing national territory in flights not made in continuous or regular service must carry a special permit from the Government of Venezuela.

Article 26. Except as provided for in international treaties or conventions, foreign official airships shall not fly over national territory, unless a special permit of the Government of the Republic, or an invitation by a competent Venezuelan authority, shall have been previously issued in each case, the necessary negotiations having been made through diplomatic channels.

Article 33. Foreign non-official airships flying over national territory in flights not constituting regular and continuous service, must carry and exhibit, when the Venezuelan authorities so require, the registration certificate and other documents and books required by their national laws, and a special permit, in addition to the certificate provided for by Article 21. Such permit must be applied for to the competent Department by the interested party or his legal representative.

Foreign airships not carrying the documents above referred to, shall be subject to confiscation, unless they prove having erred in following their route.

Article 34. Airships belonging to either nationals or aliens, used for private purposes in the national territory, must be registered in the respective registry, as well as airships engaged in regular and continuous service in Venezuela.

Article 35. Crews of airships must carry a certificate of competence and a navigation permit, for the exercise of their functions.

Foreign certificates and permits shall be on a par with those issued in Venezuela, when such equality is provided for by international agreements or a decision of the Federal Executive through the Ministry of Commerce. (Fomento.)

(11) The Subjection of All Aircraft, Other Than Military and Administrative to Inspection.

The laws of the following countries contain such provision:
Bolivia, Cuba, Dominican Republic, Honduras, Mexico, Nicaragua, Panama, Peru, and United States.

The laws of the other countries contain no such provision.

(12) A Provision Subjecting Aircraft Arriving in Ports of Entry to Quarantine and Prohibiting the Removal of Passengers or Cargo From it Until Authority Is Given.

The laws of the following countries contain a similar provision:

Bolivia, Colombia, Dominican Republic, Honduras, Nicaragua, and Panama.

In the laws of the other countries this provision is omitted.

(13) The Requirement That Cargo and Baggage Shall Be Retained on the Landing Field Until Inspected by Customs Authorities.

Such a provision is included in the laws of:

Argentina, Bolivia, Colombia, Dominican Republic, Honduras, Nicaragua, and Panama.

This provision is omitted in the laws of the other countries.

(14) A Requirement That All Private Aircraft Prior to Departure From the Country Shall Obtain Clearance From the Aviation Commercial Department or Ministry or From the Customs Authorities.

Such a provision is included in the laws of:

Bolivia, Brazil, Colombia, Dominican Republic, Guatemala, Honduras, Nicaragua, and Panama.

The provisions in these laws vary with respect to the form of the clearance required.

The provision is omitted from the laws of the other countries.

(15) A Requirement That Persons in Charge of Aircraft Intending to Enter or Fly Over the Country Will Notify the Government Prior to Flight of Intended Entry; Exempting Aircraft in Regular Schedule of This After First Flight, Provided the Schedule Has Been Filed With the Government.

The laws of the following countries contain such a provision:
Argentina, Bolivia, Colombia, Dominican Republic, Honduras, Nicaragua, Panama, and Venezuela.

The law of Chile provides that this requirement is governed by C. I. N. A.

No such requirement is contained in the laws of the other countries.


This requirement is contained in the provisions of the laws of:

Argentina, Bolivia, Brazil, Chile, Colombia, Cuba, Guatemala, Honduras, Mexico, Nicaragua, Panama, Peru, United States, and Venezuela.

This provision is not included in the laws of the other countries.

(17) The Prescription of Routes That All Private Aircraft Engaged in Air Traffic Through the Country Shall Follow.

This provision is included in the laws of:

Bolivia, Brazil, Guatemala, Honduras, Mexico, Peru, United States, and Venezuela.

The laws of Cuba and Chile do not prescribe the routes to be followed. Aircraft permitted to enter need not follow prescribed routes but must not fly over prohibited areas.

No provision as to designated routes is contained in the laws of the other countries.

The comparison so far has been of provisions covering the exercise of general national authority over aeronautics—provisions which indicate the sovereign power of the state to guide and control.

There is now to be considered the regulation of the actual operation and flight of aircraft that are authorized to operate in aerial navigation. These are the rules of traffic in the air—the safety provisions for air transportation.

Only a few of the countries appear to have adopted air traffic rule with any degree of completeness.

For the purpose of the comparison, the air traffic rules adopted by one of the countries are set forth, and their existence or non-existence in the laws of other countries is indicated.
(18) **Flying Rules.**

(a) **Right-side traffic:** Aircraft flying in established civil airways, when it is safe and practicable, shall keep to the right side of such airways.

(b) **Giving-way order:** Aircraft shall give way to each other in the following order:

1. Airplanes.
2. Airships.
3. Balloons, fixed or free.

An airship not under control is classed as a free balloon. Aircraft required to give way shall keep a safe distance, having regard to the circumstances of the case. Three hundred feet will be considered a minimum safe distance.

(c) **Giving-way duties:** If the circumstances permit, the aircraft which is required to give way shall avoid crossing ahead of the others. The other craft may maintain its course and speed, but no engine-driven craft may pursue its course if it would come within 300 feet of another craft, 300 feet being the minimum distance within which aircraft, other than military aircraft of the United States engaged in military maneuvers and aircraft engaged in local industrial operations, may come within proximity of each other in flight.

(d) **Crossing:** When two engine-driven aircraft are on crossing courses the aircraft which has the other on its right side shall keep out of the way.

(e) **Approaching:** When two aircraft are approaching head-on, or approximately so, and there is risk of collision, each shall alter its course to the right, so that each may pass on the left side of the other. This rule does not apply to cases where aircraft will, if each keeps on its respective course, pass more than 300 feet from each other.

(f) **Overtaking:** (1) Definition.—An overtaking aircraft is one approaching another directly from behind or within 70° of that position, and no subsequent alteration of the bearing between the two shall make the overtaking aircraft a crossing aircraft within the meaning of these rules or relieve it of the duty of keeping clear of the overtaken craft until it is finally past and clear.

(2) Presumption.—In case of doubt as to whether it is forward or abaft such position it should assume that it is an overtaking aircraft and keep out of the way.

(3) Altering course.—The overtaking aircraft shall keep out of the way of the overtaken aircraft by altering its own course to the right, and not in the vertical plane.

(g) **Height over congested and other areas:** Exclusive of taking off from or landing on an established landing field, airport, or on property designated for that purpose by the owner, and except as otherwise permitted by paragraph 30, aircraft shall not be flown:

1. Over the congested parts of cities, towns or settlements, except at a height sufficient to permit a reasonably safe emergency landing, which in no case shall be less than 1,000 feet.
(2) Elsewhere at a height less than 500 feet, except where indispensable to an industrial-flying operation.

(h) **Heights over assembly of persons:** No flight under 1,000 feet in height shall be made over any open-air assembly of persons except with the consent of the Aviation Board. Such consent will be granted only for limited operations.

(i) **Acrobatic flying:**

1. Acrobatic flying means intentional maneuvers not necessary to air navigation.

2. No person shall acrobatically fly an aircraft:
   
   a. over a congested area of any city, town or settlement.
   
   b. over any open-air assembly of persons or below 2,000 feet in height over any established civil airway, or at any height over any established airport or landing field, or within 1,000 feet horizontally thereof.
   
   c. Any acrobatic maneuvers performed over any other place shall be concluded at a height greater than 1,500 feet.
   
   d. No person shall acrobatically fly any airplane carrying passengers for hire.
   
   e. **Dropping objects or things:** When an aircraft is in flight the pilot shall not drop or release, or permit any person to drop or release, any object or thing which may endanger life or injure property, except when necessary to the personal safety of the pilot, passengers or crew.

(j) **Seaplanes on water:** Seaplanes on the water shall maneuver according to the laws and regulations of the Republic governing the navigation of water craft, except as otherwise provided herein.

(k) **Transporting explosives:** The transporting of any explosives other than that necessary for signalling or fuel for such aircraft while in flight or materials for industrial and agricultural spraying (dusting) is prohibited, except upon special authority obtained from the Aviation Board.

The laws of the following countries contain similar rules:

El Salvador, Guatemala (with certain minor exceptions), Mexico (with the exception that the minimum altitude is five hundred meters), Panama, Peru, and United States.

The law of *Chile* contains no flying rules, except that the minimum altitude is fixed at a point as will permit the landing of a disabled aircraft in a place of safety or in an airdrome, and also that acrobatic flying is prohibited over public places.

The law of *Cuba* contains no flying rules, except that acrobatic flying is prohibited over cities, villages, and towns or gatherings of people. Previous authorization must be obtained for any acrobatic flying. There is also a prohibition against the carrying of explosives.
In the law of Venezuela there are no flying rules, except that the minimum altitude over towns must be sufficient to permit the aircraft, in case of motor trouble, to land outside the town. There is also a provision making the crew and passengers of the aircraft responsible for the damage caused by objects and matter thrown from the aircraft.

In the Argentina law there are no flying rules other than that which fixes a minimum altitude to permit landing at a favorable place, prohibiting low flying over public spectacles and forbidding acrobatics over cities or groups of buildings.

In the law of Honduras the only flying rules are those which prohibit acrobatic flying over cities, towns, or assemblies, and the rule in regard to the maneuvering of seaplanes on the water.

The law of Bolivia contains no flying rules except that the minimum altitude of flying over cities or gatherings shall be such as to permit the aircraft, in case of motor trouble, to reach a place of safety, the minimum altitude being not less than 1,000 meters. Special permission must be obtained for acrobatic flying. The minimum altitude for acrobatic flying is fixed at 700 meters. There is also a prohibition against the carriage of photographic apparatus, carrier pigeons, explosives, munitions, and arms of war. There is also a prohibition against the dropping of objects during flight.

(19) Take-Off and Landing Rules.

(a) Method: Take-offs and landings shall be made upwind when practicable. The take-off shall not be commenced until there is no risk of collision with landing aircraft and until preceding aircraft are clear of the field. Aircraft when taking off or landing shall observe the traffic lanes indicated by the field rules or signals. No take-off or landing shall be made from or on a public street or highway without the consent of the local governing authority and the approval of the Aviation Board.

(b) Course: If practicable, when within 1,000 feet horizontally of the leeward side of the landing field the airplane shall maintain a direct course toward the landing zone.

(c) Right over ground planes: A landing plane has the right of way over planes moving on the ground or taking off.

(d) Giving way: When landing and maneuvering in preparation to land, the airplane at the greater height shall be responsible for avoiding the airplane at the lower height, and shall, as regards landing, observe the rules governing overtaking aircraft.

(e) Distress landings: An aircraft in distress shall be given free way in attempting to land.

The laws of the following countries contain similar rules:

Guatemala, Panama, Peru, El Salvador, and United States.
As to the rule governing take-offs and landing, the law of El Salvador provides that airports shall be divided into three zones: a right zone for departure, a left for landing, and the central, neutral.

The laws of the other countries contain no provision in regard to rules for take-off and landing.

(20). Lights.

(a) Angular Limits: The angular limits laid will be determined as when the aircraft is in normal flying position.

(b) Airplane Lights: Between sunset and sunrise airplanes in flight must show the following lights:

1. On the right side a green light and on the left side a red light, each showing unbroken light between two metrical planes whose dihedral angle is 110° when measured to the left and right, respectively, from dead ahead. These lights shall be visible at least 2 miles.

2. At the rear and as far aft as possible a white light shining rearward, visible in a dihedral angle of 140° bisected by a vertical plane through the line of flight and visible at least 3 miles.

(c) Airship Lights: Between sunset and sunrise airships shall carry and display the same lights that are prescribed for airplanes, excepting the side lights shall be doubled horizontally in a fore-and-aft position and the rear light shall be doubled vertically. Lights in a pair shall be at least 7 feet apart.

(d) Balloon Lights: A free balloon, between sunset and sunrise, shall display one white light not less than 20 feet below the car, visible for at least 2 miles. A fixed balloon or airship shall carry three lights—red, white, and red—in a vertical line, one over the other, visible at least 2 miles. The top red light shall be not less than 20 feet below the car, and the lights shall be not less than 7 nor more than 10 feet apart.

(e) Lights when stationary: (1) Between sunset and sunrise all aircraft which are on the surface of water and not under control, or which are moored or anchored in navigation lanes, shall show a white light visible for at least 2 miles in all directions.

(2) Balloon and airship mooring cables between sunset and sunrise shall show groups of 3 red lights at intervals of at least every 100 feet, measured from the basket, the first light in the first group to be approximately 20 feet from the lower red balloon light. The object to which the balloon is moored on the ground shall have a similar group of lights to mark its position.

The laws of the following countries have similar rules:

Panama, Peru, Salvador (except as to Subdivision “e”—the requirement is two red lights), and United States.
The law of Honduras provides only that on trips taken during the night every aircraft must carry a light of sufficient power visible on the right and left sides of the ship.

The laws of the other countries contain no rules as to lights.

(21) Day Marks of Masts, Etc.

By day, balloon and airship mooring cables shall be marked with tubular streamers not less than 8 inches in diameter and 7 feet long and marked with alternate bands of white and red, 20 inches in width. The object to which the balloon or airship is moored on the ground shall have the same kind of streamers, which must be in the same position as the lights specified herein.

Countries whose laws have similar provisions are:

Guatemala, Panama, and United States.

In the law of Salvador there is a provision in this regard calling for appropriate signals.

The laws of the other countries contain no such rules.

(22) Signals.

(a) Distress: The following signals, separately or together, shall, where practicable, be used in cases of distress:

(1) The international signal, SOS, by radio.

(2) The international-code flag signal of distress, NC.

(3) A square flag having either above or below it a ball, or anything resembling a ball.

(b) Signal when compelled to land: When an aircraft is forced to land at night at a lighted airport it shall signal its forced landing by making a series of short flashes with its navigation lights if practicable to do so.

(c) Fog signals: In fog, mist, or heavy weather on aircraft on the water in navigation lanes, when its engines are not running, shall signal its presence by a sound device emitting a signal for about five seconds in two-minute intervals.

Similar rules are contained in the laws of:

Panama, Peru, and United States.

In the law of Salvador there are provisions similar to those of sub-paragraphs "a" and "c". The rule as to sub-paragraph "b" is different in that the rule calls for a green rocket or flashes from lights other than the navigation lights.

The laws of the other countries contain no rules as to signals.

Air traffic rules may be deviated from when special circumstances render a departure necessary to avoid immediate danger or when such
departure is required because of stress of weather or other unavoidable cause.

The laws of Panama and the United States contain similar provisions.

Such a provision is omitted in the laws of other countries.

(23) The Carriage by Aircraft of Arms and Munitions of War and of Such Articles as Are Specified by Rules and Regulations of the State Under Which the Aircraft is Registered, Is Prohibited.

A similar provision is contained in the laws of:

Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Honduras, Mexico, Paraguay, Peru, and Venezuela.

Such provision is omitted in the laws of the other countries.

(24) Express Authority Must Be Obtained for the Carriage of Commercial Explosives, Photographic Apparatus and Such Other Special Articles That May Be Prescribed.

This or similar provision is found in the laws of:

Argentina, Bolivia, Chile, Honduras, Mexico, Peru, and Venezuela.

The provision is omitted from the laws of the other countries.

(25) The Making of Photographic Pictures, Sketches, Drawings, Maps, or Geographic Representations of Military or Naval Installations or Equipment Without Special Permit and Without Submitting the Product Made for Censorship After Obtaining it, Such Permit Is Prohibited.

The laws of the following countries contain such prohibitions:

Honduras, Mexico, and Venezuela.

The laws of the other countries make no mention of such prohibition.

(26) If an Aircraft Lands at a Point Other Than the Airport Designated for it, the Commander Shall Immediately Notify the Nearest Authority and Hold Himself, Crew, Passengers, and Cargo at Such Place Until Clearance for a Take-off Is Granted, Except in Cases of Emergency for the Protection of Life and Cargo, Which Emergency Must Be Provided.
The following countries have included such a provision in their laws:
- Argentina, Bolivia, Chile, Honduras, Mexico, Nicaragua, and Peru.

(27) An Aircraft in Flight Which Is Violating or Has Violated Any of the Foregoing Regulations When Signalled Will Land at the Nearest Designated Landing Place.

The signal for landing shall be:
(1) By day, frequent discharges at short intervals of yellow smoke or red light from the ground or similar signal discharged by Very pistol from police aircraft.
(2) At night, by green or white light as above in (1).
(3) When such signals are given by police aircraft the offending aircraft will land at once at the landing area indicated by the police aircraft.

The laws of the following countries contain similar provisions:
Argentina, Bolivia, Guatemala, Honduras, Mexico, Salvador and Venezuela.

(28) Persons Violating Any Rule May Be Deprived of Privilege of Flying in the Country.

The laws of Argentina and Bolivia have a similar provision.
The laws of Mexico and the United States contain similar provisions, adding thereto that violators are subject to fine. In the United States, libel proceedings may also be had against the aircraft.

Under the laws of Panama violators are subject to fine.
Under the laws of Chile fines are prescribed for violators.
Under the laws of Salvador violators are subject to the penalties prescribed for similar violations under the laws and regulations of Marine Law.

The subject of penalties is not included in the laws or regulations of the other countries.

Conclusion

A consideration of all the laws examined in relation to the provisions arbitrarily adopted as a test law, discloses a lack of general uniformity, but the failure of the laws to conform one to another is not so much the result of contradictory provisions as of omissions. The provisions which have been included in the various
laws are similar in their wording and effect, but no single provision is found to exist in all of the eighteen laws and decrees.

Such lack of uniformity is as disturbing as though the provisions were different in their requirements. Particularly is this true in the case of air traffic rules.

The navigation of an aircraft through the airspace of a country which prescribes no rules for traffic, is a constant source of danger. Rules of navigation must be fixed and known. The safety of the aircraft and its passengers must not depend wholly on the judgment of the pilot. Travel by air is constantly increasing, but there is yet a considerable portion of the traveling public which is reluctant to use this new form of transportation. In those countries where there is the strictest regulation for safety, is to be found the largest use of aerial transportation. The use of aircraft is not confined to national travel but its field of operation is international. To create the feeling of security in the minds of prospective travelers by air, there must be established a system of traffic rules and regulations which will prevail in the entire field which is open to aerial navigation.

In the matter of requirements for aircraft to enter the airspace of a foreign country there is the greatest need for uniform provisions. It is essential that the documents required of ships on entry into a country should be simplified. The operation of aircraft cannot be encumbered with documents such as prevail in water transportation. The opportunity for filling out numerous and complicated reports offered in the time between ports in travel by water does not exist in air transportation. Simplification and standardization is requisite.

The purpose of this study is not to prescribe a model national law nor a system of air traffic and flying rules for the countries of Pan America. Its purpose is to disclose the existence and extent of the need of such a law and system of regulations. The solution lies in the concerted efforts of the nations through representatives who are familiar with the geographical conditions of their countries and their other peculiar problems, harmonizing their conditions and problems so that a general law may be created, adaptable to all needs, and a workable system of air traffic regulations established which will provide stability and certainty.