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USSR Report

TRANSPORTATION

No. 130

CIVIL AIR CODE OF THE USSR

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Moscow VEDOMOSTI VERKOVNOGO SOVETA SOYUZA SOVETSKIKH SOTSIALIS-
TICHESKIKH RESPUBLIK in Russian Supplement to No 20 (2]98),
18 May 83 pp 1-38

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CIVIL AIR CODE OF THE USSR

Moscow VEDOMOSTI VERKHOVNOGO SOVETA SOYUZA SOVETSKIKH SOTSIALISTICHEKSKIKH
RESPUBLIK in Russian Supplement to No 20 (2198), 18 May 83 pp 1-38

[Text]

APPROVED
by a Ukaze of the Presidium
of the USSR Supreme Soviet,
11 May 1983

CIVIL AIR CODE OF THE USSR

CHAPTER I. GENERAL PROVISIONS

Article 1. Sovereignty Over USSR Airspace

The USSR possesses total and exclusive sovereignty over the airspace of the USSR, which is a part of the territory of the USSR.

The airspace of the USSR is defined as the airspace above its land and water territory, to include over territorial waters (territorial seas) of the USSR.

Article 2. Legislation Regulating the Use of USSR Airspace

Use of USSR airspace for aircraft flight is regulated by the present Code, by other laws of the USSR and by the Statute on Use of the USSR Airspace, Basic Rules of Flying in USSR Airspace and other normative documents approved in the order determined by the USSR Council of Ministers.

Article 3. Sphere of Action of the USSR Civil Air Code

The USSR Civil Air Code defines the order of activities carried out by aviation with the purposes of protecting the interests of the state, insuring aircraft flight safety and satisfying the needs of the USSR national economy and citizens.

The USSR Civil Air Code applies:

- 1) to all civil aviation within the USSR;

2) to civil aircraft of the USSR for the time during which they are outside the USSR, if the laws of the country in which the aircraft is present do not impose other requirements.

Articles 11, 19, 25-29, 33-37, 39-65, 71 and 143 of this Code apply to all USSR aviation.

Article 4. Use of USSR Civil Aviation

USSR civil aviation is used for the purposes:

- 1) of conveying passengers, baggage, cargo and mail;
- 2) of fulfilling aviation operations in specific sectors of the national economy (using aviation in agriculture and construction, to protect forests, to service expeditions etc.);
- 3) of rendering medical aid to the public and conducting public health measures;
- 4) of conducting experiments and scientific research;
- 5) of conducting training, cultural, educational and athletic measures;
- 6) of conducting search and rescue and emergency rescue operations and rendering assistance in the case natural disasters.

Article 5. Ownership of the Resources of USSR Civil Aviation

The principal organ managing civil aircraft as well as airports, civil airfields and ground equipment belonging to the Soviet state is the USSR Ministry of Civil Aviation.

Other ministries, state committees and departments may have under their jurisdiction, and cooperative and other social organizations may own, civil aircraft and ground equipment necessary to support their needs, and have civil airfields under their jurisdiction only with the permission of the USSR Council of Ministers.

Article 6. Normative Acts of the USSR Ministry of Civil Aviation

In accordance with this Code and other laws of the USSR, the USSR Ministry of Civil Aviation **publishes**, within the limits of its competency, rules, manuals, instructions and other normative acts binding upon ministries, state committees, departments, enterprises, institutions, organizations and citizens and regulating operation of civil aircraft, construction and operation of airports and civil airfields, the flights of civil aircraft, the conveyance of passengers, baggage, cargo and mail (including international flights and shipments) and the use of aviation in specific sectors of the national economy.

Article 7. Aviation Personnel

Workers of USSR civil aviation whose activities are oriented directly at achieving the goals indicated in Article 4 of the present Code are aviation personnel, and they must have special training corresponding to the positions they occupy, they must know the USSR Civil Air Code and they must be familiar with the rules, manuals, instructions and other documents regulating their work.

Depending on specialty, training level and work experience, flying personnel, and other aviation personnel on a list approved in the established order, are awarded a class and presented with the corresponding certificate.

The health of flying personnel and of service personnel aboard an aircraft, personnel responsible for air traffic control and engineers and technicians involved in technical aircraft operation must satisfy the established requirements.

Article 8. Aircraft Flying Fitness Norms and the Operational Fitness Norms of Airfields and Their Equipment

Civil aircraft, civil airfields and their equipment must satisfy state requirements on flight safety foreseen by the aircraft flying fitness norms and by the operational fitness norms of airfields and their equipment.

These norms are binding upon all ministries, state committees, departments, enterprises, institutions and organizations participating in the design (construction), testing, series production, reception, operation and repair of civil aircraft, airfields and air equipment. The order of writing up and approving such norms is determined by the USSR Council of Ministers.

Article 9. State Surveillance Over the Safety of Civil Aviation's Use

State surveillance over maintenance of flight safety aboard civil aircraft by the corresponding ministries, committees, departments, enterprises, institutions and organizations is the responsibility of the State Commission for Flight Safety of USSR Civil Aviation (USSR Gosavianadzor).

State surveillance over compliance of civil aircraft, civil airfields and their equipment with norms defining their fitness for operation in the USSR is maintained by the State Aviation Register of USSR Civil Aviation (USSR Gosaviaregistr).

The Statute on the State Commission for Flight Safety of USSR Civil Aviation and the Statute on the State Aviation Register of USSR Civil Aviation are approved by the USSR Council of Ministers.

Article 10. Aeroflot

Civil aviation under the jurisdiction of the USSR Ministry of Civil Aviation--Aeroflot--possesses a single flag and emblem complying with the appended description.

On international air routes, Aeroflot operates as a single and independent aviation enterprise existing as a legal person.

Article 11. Aircraft

For the purposes of the Code an aircraft is defined as an airborne vehicle held aloft in the atmosphere owing to its interaction with air, in distinction from interaction with air deflected from the ground surface.

An aircraft is within the national possession of the state to which it is registered.

CHAPTER II. CIVIL AIRCRAFT

Article 12. USSR Civil Aircraft

For the purposes of this Code USSR civil aircraft are aircraft used for the purposes stated in Article 4 of this Code and entered in the USSR State Register of Civil Aircraft.

Craft of the USSR Ministry of Defense, the USSR Ministry of Internal Affairs, the USSR Committee for State Security and of the All-Union Voluntary Society for Assistance to the Army, Air Force and Navy, and craft of other ministries, state committees and departments intended for experimental design, experimentation and scientific research in aviation and in other branches of engineering are not categorized as civil aircraft.

Article 13. Registration of Civil Aircraft

USSR civil aircraft are subject to registration in the USSR State Register of Civil Aircraft.

A certificate attesting to an aircraft's registration is issued when it is entered into this register.

The USSR Ministry of Civil Aviation is responsible for managing the USSR State Register of Civil Aircraft and for issuing aircraft registration certificates.

Article 14. Recognition of Aircraft Registration

The moment an aircraft is entered into the USSR State Register of Civil Aircraft, all entries previously made in relation to this craft into the aircraft registers of foreign states are not recognized by the USSR.

In equal fashion, the USSR does not recognize the entry of USSR aircraft into the aircraft register of a foreign state, if the aircraft had not been deleted in the established order from the USSR State Register of Civil Aircraft.

Article 15. Deletion of a Civil Aircraft From the Register

A USSR civil aircraft is deleted from the USSR State Register of Civil Aircraft in the following cases:

- 1) when the aircraft is scrapped or retired;
- 2) when the aircraft is sold or transferred in the established order to a foreign state or to a foreign legal or physical person.

Article 16. Markings Applied to Civil Aircraft

When an aircraft is entered in the USSR State Register of Civil Aircraft, it is awarded a state registration identifying mark, which is applied to the craft. Identifying marks of civil aircraft and the rules of their application are established by the USSR Ministry of Civil Aviation.

In addition a red cross or a red crescent is **affixed** to aircraft intended for the medical and public health service.

Article 17. Certification of a Civil Aircraft for Operation

A USSR civil aircraft may be certified for operation only after it is established that it complies with the flight fitness norms.

In correspondence with this:

- 1) an aircraft of a new design (of a new type) must pass plant, state and operational tests and receive, from the State Aviation Register of USSR Civil Aviation, a flight fitness certificate if it is established from the results of these tests that it complies with the flight fitness norms;
- 2) every aircraft of an adopted design must pass the necessary tests and trials in the established order, on the basis of which a certificate attesting to the fitness of the aircraft for flying is issued. Without such a certificate, the aircraft cannot be allowed to operate;
- 3) in the event of a design change in an aircraft not requiring acquisition of a new flight fitness certificate, and after repair or upon expiration of an established period of series production or operation, the aircraft is subject to new testing in the established order.

The responsibility of maintaining, during operation, of each aircraft in a condition satisfying the requirements of the flight fitness norms is imposed upon the ministries, state committees, departments, enterprises, institutions and organizations operating the craft.

Article 18. Craft Documents

The following must be aboard a civil aircraft:

- 1) the craft's registration certificate;

- 2) a certificate indicating the craft's fitness for flying;
- 3) aircraft log;
- 4) aircraft radio set permit;
- 5) flight operations manual;
- 6) other craft documents foreseen by the USSR Ministry of Civil Aviation.

The aircraft registration may bear the aircraft radio set permit.

Article 19. Radio Call Sign

A radio call sign is awarded in the established order to each USSR aircraft possessing radio communication **devices**.

Article 20. Limitations on the Right to Use Civil Aircraft

Limitations are imposed on the right to use USSR civil aircraft (seizure for a particular form of compulsory service, temporary or permanent withdrawal from service and other limitations elicited by special circumstances) only with the permission of the USSR Council of Ministers.

Article 21. Recognition of the Flight Fitness Certificate of a Civil Aircraft

A civil aircraft flight fitness certificate that had been issued or which had been empowered by a foreign state in which the given aircraft is registered is recognized as being valid by the USSR on the condition that the requirements in accordance with which such a certificate was issued or in accordance with which it was empowered satisfy requirements established in the USSR.

CHAPTER III. THE CIVIL AIRCRAFT CREW

Article 22. Crew Composition

The crew of a USSR civil aircraft consists of the commander and other persons representing the flight and service personnel.

The composition of a civil aircraft crew is determined by the USSR Ministry of Civil Aviation depending on the type, class and purpose of the aircraft as well as on the goals and conditions of its operation.

Flying a civil aircraft with an incomplete crew is prohibited.

Article 23. Citizenship of Crewmembers

The crews of USSR civil aircraft may be composed only of citizens of the USSR.

Exceptions to this rule may be made in the order determined by the USSR Council of Ministers.

Article 24. The Civil Aircraft Commander

A person possessing the specialty of a pilot and the training and experience necessary for independent control of the given type of aircraft may be a USSR civil aircraft commander.

The craft commander manages all of the activities of the crew, he insures strict discipline and order aboard the craft and compliance with the flight and operating rules of the craft, and he takes the necessary steps to insure the safety of persons aboard the craft and the integrity of the craft and its property.

Article 25. The Rights of an Aircraft Commander

The commander of a USSR aircraft has the right:

- 1) to make the final decision on take-off, flight and landing of the aircraft and on abortion of a flight and return to the take-off point for an emergency landing. In the event of a clear threat to flight safety, as well as for the purposes of saving the lives of persons aboard the craft, such a decision may be made in opposition to the flight plan, instructions of an air traffic control organ and the flying assignment, though to the extent possible in accordance with the established flight rules. The craft commander is obligated to report his actions immediately to the air traffic control organ directly controlling the aircraft;
- 2) within the limits of his competency, to give orders subject to unquestioning fulfillment to any person aboard the aircraft;
- 3) to take all necessary steps, going as far as using weapons against persons who create, by their actions, a direct threat to flight safety and who do not carry out his orders. On arrival of the aircraft at the nearest airfield, the craft commander can remove such persons from the craft, and in the event that an act of a criminal nature has been committed, he may turn such persons over to the appropriate organs;
- 4) to dump fuel while in the air and to jettison baggage, cargo and mail if this is necessary to insure safe flying and landing of the aircraft.

In the event of a forced landing, the aircraft commander controls the actions of all persons aboard the aircraft until the transfer of his powers to competent organs.

Article 26. Actions To Be Taken in the Event of a Disaster

If an airborne aircraft is threatened by danger or if the aircraft suffers or had suffered a disaster (Article 59 of this Code), the craft commander is obligated to take all steps to preserve the lives and health of the people, and the integrity of the craft and the property it contains.

All crewmembers and, when necessary, the passengers are obligated to participate in the rescue of people and the aircraft.

In the event of a disaster, no crewmember has the right to abandon the craft without the craft commander's permission. The commander leaves the aircraft last.

In order to insure the integrity of an aircraft that has suffered a disaster and of the property it contains, the craft commander has the right to sign contracts, in behalf of the organization that has operational control over or owns the aircraft, to transport the craft, baggage, cargo and mail, and to take other steps elicited by the circumstances.

Article 27. Rendering Assistance to Craft and Persons in Danger

On receiving a disaster signal from another aircraft, a seagoing vessel or an inland waterways vessel, or having spotted a vessel suffering or having suffered a disaster, or persons in danger, the aircraft commander is obligated to render assistance, to the extent possible without jeopardizing the craft, passengers and crew entrusted to him, to mark the disaster site on a map and to report the disaster to an air traffic control organ.

Article 28. Mutual Relationships Between the Commander of a USSR Aircraft and USSR Consuls

The mutual relationships between the commander of a USSR aircraft and other crewmembers and USSR consuls abroad are regulated by the USSR Consul Regulations.

Article 29. The Order of Compensation for Injury to Crewmembers

In the event that a crewmember of a USSR aircraft suffers mutilation or some other health impairment in connection with the crewmember's fulfillment of his official duties during take-off, flight or landing of the aircraft, the organization that has operational control over or owns the aircraft is obligated to pay compensation to the injured person in an amount exceeding the sum of the assistance he receives or is granted following injury to his health, and the pension he is receiving, if it fails to prove that the injury was inflicted intentionally by the victim.

In the event of the death of a crewmember of a USSR aircraft in connection with the crewmember's fulfillment of his official duties during take-off, flight or landing of the aircraft, compensation for damages is received in accordance with the same rules by disabled dependents of the deceased or by persons entitled to a maintenance allowance from the crewmember prior to the date of his death, as well as a child of the deceased born after his death.

CHAPTER IV. AIRFIELDS. AIRPORTS

Article 30. Creation of Airfields and Airports

Airfields and airports are created in order to service aircraft making flights with the purpose of conveying passengers, baggage, cargo and mail and for other purposes.

An airfield is a parcel of land or water specially equipped for the take-off, landing, taxiing, parking and servicing of aircraft.

An airport is a complex of structures which is intended for the reception and dispatch of aircraft and for the servicing of air shipments and which possesses an airfield, an air terminal and other ground structures and equipment needed for these purposes.

Article 31. Registration of Civil Airfields

With the exception of temporary airfields, airfields intended to support air operations and landing strips, civil airfields under the jurisdiction of the USSR Ministry of Civil Aviation are subject of registration in the State Register of USSR Civil Airfields, management of which is the responsibility of the USSR Ministry of Civil Aviation.

When an airfield is entered into this register, a certificate of state registration and of the airfield's fitness for use is issued.

The order of state registration of airfields and of issue of state registration certificates as well as the order of accounting for temporary airfields and airfields supporting air operations and landing strips are established by the USSR Ministry of Civil Aviation.

Airfields intended for joint basing are registered in the order established by the USSR Council of Ministers.

Article 32. The Order of Certifying Civil Airfields for Use

Each civil airfield may be permitted to operate only after it is established that it complies with the airfield use fitness norms.

In correspondence with this:

- 1) a newly built airfield must be accepted by a special commission appointed in the order determined by the USSR Council of Ministers;
- 2) in the event of reconstruction of an airfield, its reequipment or expiration of a certain period of operation, the airfield is subject to inspection, and it is accepted by a commission appointed in the order determined by the ministry, state committee, department or organization having jurisdiction over the airfield.

Civil airfields are certified for use in the order established by the ministry, state committee, department or organization having jurisdiction over the airfields, upon coordination with the State Aviation Register of USSR Civil Aviation.

Article 33. Construction and Reconstruction of Airfields

Construction and reconstruction of airfields must be coordinated in the established order with interested ministries, state committees and departments.

Article 34. Construction Within Airfield Territory

Cities and other population centers must be planned, built and developed, and industrial, agricultural and other facilities within the limits of the airfield territory must be built and reconstructed in compliance with aircraft flight safety requirements, with a consideration for possible harmful physical influences upon the health of the population and upon the activities of enterprises, institutions and organizations, and with the consent of the ministries, state committees, departments and organizations having jurisdiction over the airfields.

Article 35. Location of Various Facilities Within an Airfield Area

The location of buildings, structures, communication lines, high-voltage electric power lines, radio engineering and other facilities that may jeopardize aircraft flight safety or create interference to the normal operation of airfield radio engineering resources within an airfield area must be coordinated with the ministries, state committees, departments and organizations having jurisdiction over the airfields.

Consent to install such facilities is obtained and the list of such facilities is approved in the order determined by the Statute on the Use of USSR Airspace.

Article 36. Marking of Airfields

Airfields and landing strips are marked in accordance with the established rules in order to permit their identification from the air and orientation of crews during aircraft take-off and landing.

Placement, in the vicinity of airfields, of any signs and devices similar to marking signs and devices intended for airfield identification is prohibited.

Article 37. Marking of Buildings and Structures

In order to insure aircraft flight safety, the owners of buildings and structures are obligated to locate night and day marking signs and devices on these buildings and structures at their own expense in accordance with the established rules.

Article 38. Communication of Airports with Population Centers

Airports must be provided with regular communication with the nearest cities and other population centers.

Executive committees of local soviets of peoples deputies are responsible for building, rebuilding, equipping and operating access roads to airports, for insuring regular movement of passenger transportation on these roads and for providing telephone communication linking cities and other populations to airports.

Article 39. Control Over Fulfillment of Requirements Imposed on Construction in the Vicinity of Airfields

When reserving, in the established order, land parcels for the construction and development of cities and other population centers and for the

construction and reconstruction of facilities indicated in articles 34 and 35 of the Code, the councils of ministers of union and autonomous republics and the executive committees of local soviets of peoples deputies provide control over fulfillment of rules foreseen by these articles.

Enterprises, institutions and organizations as well as citizens violating the rules foreseen by articles 34 and 35 of this Code are obligated to remove, move or make the necessary changes on their facilities on demand of the ministries, state committees, departments and organizations having jurisdiction over the airfields. They must do so within the established deadline, at their own expense and using their own manpower.

CHAPTER V. AIRCRAFT FLIGHTS

Article 40. Preparation of an Aircraft for Flight

The flight of an aircraft must be preceded by special preparation of the craft and its crew, inspection of the readiness of the ground services of the take-off airfield and the landing airfield to support the flight, analysis of the meteorological conditions over the entire time of the flight, and analysis of other flight conditions.

The rules of flight preparation and the persons responsible for such preparation are established by the ministries, state committees, departments and organizations possessing the aircraft.

Article 41. Certification of an Aircraft for Flight

Only aircraft bearing state registration identification marks are certified for flying in USSR airspace. An aircraft is permitted to fly only if it possesses the following:

- 1) a crew prepared and certified for flying an aircraft of the given type in the corresponding flying conditions;
- 2) the necessary quantity of fuel;
- 3) a flight assignment, aircraft and other documents as established by the ministries, state committees, departments and organizations possessing the aircraft.

Deviations from the requirements foreseen by this article may be established for aircraft undergoing test flights, in accordance with the rules of performing test flights.

Article 42. Permission for Take-Off, and the Flight Plan of an Aircraft

An aircraft can be flown only if it is granted permission for take-off in the established order.

Every flight of an aircraft must be performed in accordance with a flight plan approved in the established order. Deviations from the flight plan are permitted only with the permission of air traffic control organs, except in cases foreseen by Paragraph 1, Article 25 of this Code.

Article 43. Safe Flying Altitudes and Intervals

Aircraft must be flown at safe altitudes and at intervals between one another that would exclude the possibility of aircraft collisions.

Article 44. Meteorological Conditions of Flying

Aircraft can be flown only in the presence of the appropriate meteorological conditions.

Every aircraft must be provided with weather information for the entire duration of the flight.

Article 45. Organization of Air Traffic

Aircraft are flown in USSR airspace on USSR airways, local airlines and established routes.

The bearing and width of USSR airways, local airlines and routes as well as the flying altitudes are established in compliance with flight safety requirements and with a consideration for the interests of the corresponding ministries, state committees, departments and organizations, in the order determined by the Statute on Use of the USSR Airspace.

Article 46. The Equipment of USSR Airways and Local Airlines

USSR airways and local airlines are equipped with radio navigation and other resources insuring the safety of aircraft flight.

Article 47. Certification of USSR Airways and Local Airlines for Operation

A USSR airway and a local airline may be certified for operation only after it is established that they satisfy aircraft flight safety requirements.

USSR air routes and local airlines are certified for operation in the order determined by the USSR Council of Ministers.

Article 48. Actions To Be Taken in Response to an Aircraft's Deviation from a USSR Airway, a Local Airline or a Route

If an airborne aircraft has deviated from a USSR airway, a local airline or an established route, the aircraft commander and the air traffic control organ are obligated to immediately take all possible steps to return the aircraft to the USSR airway, local airline or established route.

Article 49. Prohibition or Limitation of Flying

The flight of aircraft in USSR airspace or in individual areas of this airspace may be completely prohibited or limited in relation to altitude, time

and direction in the order determined by the Statute on Use of the USSR Airspace.

Article 50. Flights Over Population Centers

Flights may be made over population centers only at an altitude which would permit the aircraft to land outside such centers or at the closest airfield in the event of an aircraft malfunction.

Demonstration flights of aircraft above population centers are prohibited.

Deviations from the rules of the article are permitted in the order established by the USSR Council of Ministers.

Article 51. Still and Motion Picture Photography and Use of Radio Communication Resources

Still and motion picture photography and use of radio resources aboard an aircraft are permitted in the order determined by special rules.

Article 52. Activity Posing a Threat to Flight Safety

All forms of activity associated with the use of USSR airspace that may pose a threat to flight safety, including all forms of fire, missile launchings, demolition operations, the launching of drones and other such actions are allowed in compliance with the necessary precautions only after special permission is received in the order determined by the USSR Council of Ministers.

Article 53. Violating Aircraft

An aircraft that crosses the USSR state border without the corresponding permission of Soviet competent organs or which commits some other violation of the rules of flying across the USSR state border and the order of using USSR airspace is designated a violating aircraft, and it is subject to compulsory landing if it fails to obey the requirements of flight control organs.

A violating aircraft ordered to land must land at the location indicated to it.

After such an aircraft lands and the causes of the violation are clarified, permission for further flight is granted to the violating aircraft in the established order by the air traffic organ.

Article 54. Air Traffic Control Organs

Air traffic is controlled by organs of the USSR's unified air traffic control system, and by departmental air traffic control organs, within the limits of the areas and zones allocated to them.

The Statute on the USSR Unified Air Traffic Control System is approved by the USSR Council of Ministers.

Constant radio communication must be maintained between and airborne aircraft and air traffic control organs.

If communication is interrupted, the aircraft commander and the air traffic organ are obligated to take immediate steps to restore it. When it is impossible to restore communication the aircraft commander and the air traffic control organ must act in accordance with the rules established for such cases.

Article 55. Meteorological and Electronic Support to Flying

Meteorological and electronic support is provided to flying in the order determined by the USSR Council of Ministers.

Article 56. Elimination of Interference in the Work of Radio Engineering Resources

Radio frequencies that must be protected from sources of radio interference are allocated in the established order to permit radio communication and radio engineering support to flying.

Enterprises, institutions, organizations and citizens possessing devices and apparatus causing interference to radio communication resources and radio engineering flight support resources are obligated to eliminate the interference created by their resources at their own expense on demand of the appropriate organs of the USSR Ministry of Communication, and they must shut down such devices or apparatus until this interference is eliminated.

Article 57. Leasing Communication Channels

In order to support flying, air traffic control and other activities of aviation, the USSR Ministry of Communications leases the necessary communication channels to interested ministries, state committees, departments and organization at their request.

When communication channels allocated to support flying and air traffic control become unservicable, they must be replaced by other communication channels in the established order.

Article 58. Use of Public Communication Resources

In the absence of leased communication channels, public communication resources may be used to support flying and air traffic control.

Telephone calls and the reception and transmission of telegrams associated with providing assistance to an aircraft that is suffering or had suffered a disaster, to its crew and to its passengers are allowed on top priority, on the basis of normal pay rates.

Telephone calls and the reception and transmission of telegrams associated with emergency actions in support of flight safety and with control of the movement of aircraft making specially important runs are allowed on top priority, at the normal pay rates.

The procedure for using public means of communications to support flights and air traffic control is established by the USSR Ministry of Communications after coordination with interested ministries, state committees, departments, and organizations.

Article 59. An Aircraft Suffering or Having Suffered a Disaster

An aircraft is said to be suffering a disaster if it or persons aboard it are threatened by an immediate danger that cannot be eliminated by the actions of the crew alone.

An aircraft suffering a disaster must transmit disaster signals in the established order.

An aircraft is said to have suffered a disaster if it received serious damage or had been completely destroyed while taking off, flying, landing or falling, and if it had made a forced landing in some place other than an airfield.

Article 60. Rendering Assistance to Aircraft

If an airborne aircraft is in jeopardy or if the craft is suffering or has suffered a disaster, air traffic control organs are obligated to take all possible steps to render assistance to this aircraft.

Search and rescue of aircraft suffering or having suffered a disaster, and of their passengers and crews are organized and carried out by the USSR Aviation Search and Rescue Service, which operates on the basis of a special statute.

Emergency rescue operations are conducted on the territory of airfields by the men and equipment of the ministries, state committees, departments and organizations having jurisdiction over these airfields.

Radio engineering and other resources of enterprises, institutions and organizations located in the area where an aircraft is suffering or had suffered a disaster may be used for search and rescue and emergency rescue operations.

Foreign aircraft suffering or having suffered a disaster are rendered assistance on an equal basis with USSR aircraft.

Article 61. Search for Aircraft

An aircraft suffering or having suffered a disaster or a craft with which communication has been lost is subject to immediate search if its location is unknown.

In all cases of aircraft disasters of which they are aware, executive committees of local soviets of peoples deputies, enterprises, institutions and organizations must immediately report them to the USSR Aviation Search and Rescue Service, to the nearest civil aviation enterprise or to the nearest airfield, and they must render the necessary assistance in organizing a search for the aircraft. Citizens are obligated to immediately report cases of aircraft disasters of which they are aware to the executive committees of local soviets of peoples deputies or to the nearest enterprises, institutions and organizations.

Prior to the arrival of search and rescue teams (groups) the executive committees of local soviets of peoples deputies as well as enterprises, institutions and organizations within the range of operations of which an aircraft has suffered a disaster are obligated to take immediate steps to rescue people, to render medical and other necessary assistance to them and to safeguard the aircraft and the documents, equipment and property aboard it.

Article 62. Termination of a Search for an Aircraft

In cases where steps taken to search for an aircraft fail to produce results, the decision to terminate the search is made by the director of the ministry, state committee or department having jurisdiction over the craft, while in relation to craft owned by a cooperative or other public organization, this decision is made by the director of this organization.

The decision to terminate a search for a foreign aircraft inside the USSR is made by the USSR minister of civil aviation.

If a search for an aircraft is officially terminated and the location of the craft or its fragments has not been established, this aircraft is declared to be missing.

Article 63. Investigation of Aviation Accidents

All aviation accidents are subject to investigation in the established order. The executive committees of local soviets of peoples deputies as well as enterprises, institutions, organizations and citizens are obligated to render the necessary assistance in investigating aviation accidents.

Article 64. Liability for Damages Inflicted Upon Third Parties by an Airborne Aircraft

The owner of an aircraft is liable for damages **if responsible for the death or** impairment of the health of third parties, and for damages caused to their property on USSR territory by an airborne aircraft or by an object that falls from it, if it is not demonstrated that such damages were intentionally inflicted by the victim, insofar as other liability is not foreseen by an international treaty of which the USSR and the corresponding foreign state are participants.

For the purposes of this article an aircraft is said to be airborne from the moment the craft begins to move during take-off to the moment it completes its landing run.

Article 65. Liability for Damages Inflicted by the Collision of Aircraft

In the event that two or more aircraft collide as well as in the event that damage is caused by one aircraft to another in the absence of a collision, the material liability of **the** aircraft in relation to one another is determined by the following premises:

- 1) damages caused at the fault of one party are compensated in full volume by that party;

2) if damages are inflicted at the fault of both (or several) parties, then the responsibility of each is determined commensurate with the degree of fault; when it is impossible to establish the degree of fault, each of the parties shares liability equally.

When none of the parties can be faulted for causing damages, none of the parties is entitled to demand compensation for damages from another party.

Fault is not presumed in any party possessing an aircraft involved in a collision until proven otherwise.

Material liability for damages arising due to the death or impairment of the health of aircraft passengers as well as damages caused to the property of third parties located aboard aircraft or placed in the trust of an aviation enterprise is borne by the carrier in accordance with the rules of this Code; in this case the carrier is entitled to make reciprocal demands (regression) in relation to another party (parties) at the fault of which the damages were inflicted, in accordance with paragraphs 1) and 2) in the first part of this article.

CHAPTER VI. INTERNATIONAL FLIGHTS

Article 66. Rules of International Flights

For the purposes of this Code any flight during which an aircraft crosses the state borders of the USSR and another state is declared to be an international flight.

International flights in USSR airspace by USSR civil aircraft and foreign aircraft are governed by the general statutes regulating flying and aircraft operation in the USSR, with a consideration for amendments and supplements indicated in this chapter and in the rules of flying foreign aircraft in USSR airspace, issued by Soviet competent organs and published in the Collection of Aeronavigation Information.

Article 67. International Flights by Civil Aircraft of the USSR

Civil aircraft of the USSR make international flights with the permission of the USSR Ministry of Civil Aviation, issued in the established order.

International flights by civil aircraft of the USSR are made under the national flag of the Union of Soviet Socialist Republics.

Article 68. International Flights by Foreign Aircraft

Flights by foreign aircraft in USSR airspace are made on the basis of and in compliance with the following conditions:

1) international treaties of the USSR;

2) special permits for one-time flights, issued in the established order.

The identification markings of foreign aircraft must be reported by the owners of these craft to the USSR Ministry of Civil Aviation prior to initiation of regular international flights or a one-time flight.

Flights by international aircraft in USSR airspace must be insured, or some other form of acceptance of liability by the owners of these craft for damages done to third parties, as foreseen by Article 64 of this Code, must be provided for. The conditions of such acceptance of liability are determined by the USSR Ministry of Civil Aviation.

Article 69. Airways and Airports (Airfields) for International Flights

Foreign aircraft can fly in USSR airspace only within established international airways, if a different order has not been established by Soviet competent organs.

The lists of international airways and airports (airfields) open to international flights are approved by the USSR Council of Ministers.

The lists of such airways and airports (airfields) and whatever data necessary to support their use by flying aircraft are published in the Collection of Aeronavigation Information.

Article 70. Application of Passport, Customs and Other Rules

The appropriate passport, customs, currency, public health, quarantine and other rules of entry and exit as well as of import and export of property and its transit through USSR territory extend to aircraft and to their crews and passengers arriving in the USSR or leaving from the USSR as well as to property imported into the USSR or exported from the USSR aboard aircraft.

Article 71. Take-Off and Landing of Aircraft

Soviet and foreign aircraft take off for destinations outside the USSR, and land after flying into the USSR, at airports (airfields) open to international flights and possessing border troop check points and customs services. A different order of aircraft take-off and landing is allowed only with the permission of Soviet competent organs.

Article 72. Recognition of Craft Documents of Foreign Civil Aircraft

Craft documents aboard a foreign civil aircraft are recognized to be valid in USSR territory if they correspond to state laws of aircraft registration.

Foreign civil aircraft that land in USSR territory may be examined, to include inspection of all documents mandatory for international flight.

If documents required for international flights are absent from a foreign civil aircraft or if there are grounds for believing the materiel of such an aircraft is faulty, the USSR Ministry of Civil Aviation may prohibit the take-off of this aircraft.

Article 73. Measures to Prevent Acts of Illegal Interference in the
Activities of Civil Aviation

Aviation enterprises possessing aircraft making international flights from USSR territory, to USSR territory or in transit across USSR territory must take all necessary steps during such flights to prevent and avert acts of illegal interference in the activities of civil aviation. These measures are implemented with regard to the appropriate laws and rules over USSR territory.

CHAPTER VII. AIR SHIPMENTS OF PASSENGERS,
BAGGAGE, CARGO AND MAIL

Article 74. Organizations Performing Air Shipments

Air shipments of passengers, baggage, cargo and mail are performed in accordance with a set rate by aviation enterprises of the USSR Ministry of Civil Aviation.

Other ministries, state committees, departments and organizations possessing aircraft may carry passengers, baggage, cargo and mail in support of their own needs, except in cases foreseen by the laws of the USSR.

International shipments of passengers, baggage, cargo and mail can also be performed by foreign aircraft.

Article 75. Airlines; Aircraft Traffic Schedule

Regular shipments of passengers, baggage, cargo and mail are performed by aviation enterprises on airlines determined by the USSR Ministry of Civil Aviation.

The USSR Ministry of Civil Aviation provides for the movement of passenger aircraft on the basis of a schedule.

Article 76. The Air Shipment Contract

A contract to ship a passenger by air obligates an aviation enterprise (carrier) to convey the passenger and his baggage to the destination, furnishing the passenger with a seat aboard an aircraft making the run indicated on the passenger's ticket, and in the event that the passenger checks his baggage, the aviation enterprise is also obligated to deliver this baggage to the destination, where it must be handed over to a person authorized to receive the baggage. The passenger is obligated to pay for the flight in accordance with the set rates, and if he checks baggage in excess of the established norm, he must pay for shipment of this baggage as well.

A contract for air shipment of cargo or mail obligates the carrier to deliver the cargo or mail entrusted to him to the destination, and turn it over to a person (recipient) authorized to receive the cargo or mail; the shipper is

obligated to pay for shipment of the cargo or mail in accordance with the set rates.

Article 77. Shipments in Direct Mixed Traffic With the Participation of Air Transportation

Shipments made by carriers employing different forms of transportation on the basis of a single document (in direct mixed traffic) with the participation of air transportation are regulated by this Code, by special laws of the USSR on such shipments and by rules approved by the USSR Ministry of Civil Aviation jointly with the appropriate transportation ministries and departments.

Article 78. Shipping Documents

A contract for air shipment of a passenger and its conditions are documented by a ticket, and baggage checking is documented by a baggage receipt.

A contract for air shipment of cargo, its conditions and acceptance of cargo for shipment are documented by a cargo invoice.

A contract for air shipment of mail, its conditions and acceptance of mail for shipment are documented by a mail invoice.

The order of drawing up an invoice and of using technical resources to print out contracts for shipment of cargo or mail is determined by shipment rules.

Article 79. Shipment Rates

The rates for air shipments of passengers, baggage, cargo and mail and charges for services rendered are approved in an order determined by the USSR Council of Ministers. The rules of applying these rates and collecting for charges are established by the USSR Ministry of Civil Aviation.

Article 80. Payment for Shipment

Payment is made for air shipment of passengers, baggage and cargo upon issue of the shipment document, if not foreseen otherwise by the shipment rules.

Article 81. Services and Privileges Provided to a Passenger

The carrier is obligated to organize services to passengers, to show concern for them, and to provide accurate and timely information on aircraft traffic.

A passenger is entitled to:

- 1) transport checked and carry-on baggage within the limits of the established norm free of charge;
- 2) transport accompanying children free of charge or at a discount (depending on age);
- 3) take advantage of services offered to passengers free of charge (including rest rooms, nursing rooms and room in a hotel during a break in travel at the fault of the carrier or in the case of an unavoidable delay of the aircraft while en route).

The order of providing services and privileges is established by the shipment rules.

Article 82. Termination of an Air Shipment Contract on Demand of a Passenger

A passenger is entitled to cancelation of his reservation and a refund of money paid for transport in the event of:

- 1) illness of the passenger or a member of his family traveling with him aboard the aircraft;
- 2) a delay in take-off of the aircraft from the point of departure or replacement of an aircraft by a craft of another type;
- 3) return of an aircraft to the point of departure without completing its run;
- 4) declaration, to the carrier, of the intent to cancel a flight reservation not later than a time established by the shipment rules. If a passenger cancels his flight reservation later than foreseen by the rules, the passenger is entitled to a refund of money paid for transport, less an established charge. The size of the charge must not exceed 25 percent of the rate for a one-way ticket.

A passenger is entitled to terminate his flight and receive a refund of the corresponding proportion of money he has paid for transport if the run is interrupted owing to a forced landing or for some other reason, or if the passenger is not furnished with a transfer flight at an airport within a guaranteed period of time, and equally in the event of illness of the passenger or a member of his family traveling jointly with him in the aircraft.

Article 83. Aircraft Seat Reservations

Enterprises, institutions and organizations as well as citizens may reserve seats aboard an aircraft ahead of time. If free seats are available, the carrier is obligated to accept a reservation and indicate the effective period of the reservation.

At the request of an enterprise, institution, organization and citizen, the carrier is obligated to take steps to reserve seats for a flight from a transfer airport or from any other airport, including for a return trip.

The order of making reservations and the consequences of refusing to accept a reservation are established by the shipment rules.

Article 84. Planning of Cargo and Mail Shipments

Cargo and mail are shipped by air transport in accordance with plans approved in the established order.

Shipment of cargo and mail not foreseen by the plan or presented for shipment in excess of the plan is performed on the basis of requests made by shippers

beforehand and accepted by the carrier, without detriment to fulfillment of planned cargo and mail shipments.

Cargo and mail in small consignments and household goods are accepted for shipment on the basis of requests from shippers.

Article 85. The Contract for Regular Shipments of Cargo and Mail

In the event that the same shipper requires air shipment of cargo or mail on a regular basis over a certain period of time, the carrier and shipper may sign a special contract in which they must define the conditions associated with the particular features of such shipments.

Article 86. Liability for Failure to Fulfill a Shipment Plan

For a shipment plan to be fulfilled, the carrier is obligated to provide the transportation resources indicated in the plan, and the shipper is required to present the cargo foreseen by the plan for shipment.

The shipper and carrier bear liability in relation to one another for failure to provide the transportation resources indicated in the plan and for failure to present cargo foreseen by the plan for shipment. This liability takes the form of a fine totaling 25 percent of the shipping charge for all cargo that is not presented to the carrier or cargo that is prepared for loading but not carried away.

The same liability is borne by the carrier and shipper for failing to fulfill obligations concerned with unplanned shipments and shipments of cargo in excess of the plan on the basis of requests from shippers accepted by a carrier.

In the event that transportation resources necessary to complete a monthly shipment plan are not delivered, on demand of the shipper the carrier is obligated to provide transportation resources in the course of the next month of the given quarter in order to compensate for the shipping shortfall. Transportation resources that are not delivered in the last month of a quarter must be furnished in the first month of the next quarter.

The order of providing transportation resources to compensate for a shipping shortfall is established on the basis of an agreement between the carrier and shipper. If the agreed-upon order is violated, liability established for failure to complete the shipment plan is borne by the carrier for failure to furnish transportation resources and by the shipper for failure to present cargo for shipment.

Liability is borne by the carrier and shipper for failure to fulfill a mail shipment plan in the order and in an amount established by the rules of mail shipment.

Article 87. Release From Liability for Failure to Fulfill a Shipment Plan

A shipper is released from liability for failing to present cargo or mail for shipment if this occurs owing to natural causes as well as accidents at the

enterprises of the shipper causing cessation of production for a period of not less than 3 days. The rules of mail shipment may foresee additional grounds for releasing shippers from liability for failing to present mail for shipment.

A carrier is released from liability for failing to furnish transportation resources if this happened owing to a natural disaster, and if flight of aircraft is impossible due to unfavorable meteorological conditions.

Article 88. The Cargo Invoice and Documents Appended to It

On surrendering cargo for shipment, a shipper is obligated to indicate on the cargo invoice the exact name of the cargo, its weight (mass), the number of spaces, size or volume, form of packaging and special properties.

The carrier is entitled to check the correctness of these data. The weight (mass) of cargo is determined by the parties at the time of reception of the cargo for shipment, if not foreseen otherwise by shipment rules.

Simultaneously with the cargo invoice the shipper is obligated to give the carrier all documents required in accordance with public health, quarantine and other rules.

The carrier has the right to check out these documents in relation to their accuracy and completeness.

The shipper is responsible for the correctness of cargo information contained on the cargo invoice. The shipper bears liability for damages caused to the carrier or to another person to whom the carrier is liable owing to error, inaccuracy or incompleteness of this information.

Article 89. Crates, Packing Materials and Cargo Marking

Cargo requiring crating or packaging material to insure its integrity must be presented for shipment in serviceable crates or packaging material corresponding to the standards, while cargo **for** which crates and packaging material have not been established must be presented in serviceable packaging material insuring its complete integrity during shipment and handling.

Agricultural products sent to kolkhozes may be accepted for shipment in non-standard packaging material as well, if it insures integrity of the cargo during shipment.

Cargo must be marked in accordance with shipment rules. In the event that cargo is presented in serviceable packaging material or crates, or in packaging material or crates not corresponding to the nature and properties of the cargo or to the conditions of its shipment by air transportation, the carrier is obligated to refuse acceptance of such cargo for shipment.

Article 90. Special Shipment Conditions

The conditions for shipment of explosives, weapons, ammunition, toxic, highly flammable, radioactive and other dangerous substances and objects, motion

picture and still cameras, radio apparatus and binoculars by air transportation are determined by special rules.

Article 91. Inspection of Passengers, Checked Baggage and Carry-On Baggage

In order to insure flight safety and to safeguard the life and health of passengers and crewmembers of civil aircraft, civil aviation and military organs, customs services and border troops are granted the right to inspect carry-on and checked baggage and to personally inspect passengers of civil aircraft on both domestic and international lines. The inspection is performed at the airport (the city air terminal) or aboard the aircraft. An inspection may be carried out aboard an airborne aircraft with or without the consent of a passenger. For the purpose of this article an aircraft is said to be airborne at any time from when all external doors are closed after loading to the moment any one of these doors is opened for unloading. The rules of carrying out an inspection and the list of persons entitled to make an inspection are established by the USSR Council of Ministers.

In the event that a passenger refuses to be inspected at an airport (a city air terminal), the carrier is entitled to break the contract for air shipment and to refund money paid for transportation in accordance with Paragraph 4 of the first part of Article 82 of this Code.

Article 92. Cargo Delivery Deadlines

The carrier is obligated to deliver cargo accepted for shipment to its destination within an established deadline.

The deadlines for delivering cargo and the order of calculating cargo delivery deadlines are established by shipment rules.

Article 93. Amendment of a Cargo Shipment Contract

In the order foreseen by shipment rules, the shipper is entitled to have cargo surrendered for shipment returned to him prior to its dispatch, to change the name of the recipient on the cargo invoice prior to the cargo's delivery to the addressee, and to dispose of the cargo in the event of its refusal by the recipient or if it is impossible to deliver it to the recipient.

In the event of an interruption in or termination of the travel of an aircraft, the carrier is obligated to notify the shipper and receiver of this, and to request their instructions.

Article 94. Receipt of Cargo at the Destination

The carrier is obligated to inform the recipient that cargo addressed to him has arrived.

The recipient is obligated to accept and carry away cargo addressed to him. The recipient is entitled to refuse reception of damaged or spoiled cargo if it is established that the quality of the cargo changed enough to exclude the possibility of its full or partial use as originally intended.

Article 95. A Recipient's Failure to Pick up Cargo, or His Untimely Reception of Cargo

If a recipient fails to demand delivered cargo within a set period of time or if he refuses to pick it up, on notifying the shipper the carrier is entitled to store the cargo himself at the expense and risk of the shipper.

In the event that cargo accumulates at airports owing to untimely pick-up of cargo by recipients at their fault, payment for storage of this cargo at the airport may be increased to triple the rate.

The deadlines for and order of cargo storage and the order of increasing payments for cargo storage are determined by shipment rules.

Cargo that is not picked up within 30 days from the day on which the recipient is informed is treated as being unclaimed, and it is sold in the order determined by the USSR Council of Ministers.

Article 96. The Carrier's Liability for Causing Death or Health Impairment of a Passenger

The carrier bears material liability established by USSR and union republic laws for damages **if found responsible for** the death or health impairment of a passenger during air transportation, if it is not proven that such damages were intentionally inflicted by the victim himself.

In the case where a passenger suffers death or a health impairment resulting from the action of an uncontrollable force, the carrier bears pre-established liability if he cannot prove that the damages were caused or increased by gross carelessness of the victim himself. In other cases where the carrier is able to prove that gross carelessness of the victim himself **caused** or increased **d** the damages, in accordance with the general norms of civil law the amount of compensation for damages must be reduced, or compensation for damages must be denied.

Air transportation of a passenger includes the period from the moment the passenger sets foot on the airport ramp for the purpose of boarding an aircraft until the moment the passenger leaves the ramp under the observation of officials representing the carrier.

Article 97. The Carrier's Liability for Baggage Safety

The carrier bears liability for loss of all or part of baggage and damage to baggage from the moment it is accepted for shipment to the moment it is picked up by the recipient or transferred in accordance with the established rules to other organizations, if it cannot be proved that all necessary measures were implemented by the these organizations to prevent damage, or that such measures could not have been implemented. In particular, the carrier is released from liability if all or some baggage is lost or damaged owing to:

- 1) the natural properties of the objects being transported;

- 2) shortcomings in packaging that could not have been noticed from the external appearance of the baggage at the time of its reception;
- 3) special properties of the baggage requiring special conditions or precautions during its shipment and storage.

The carrier bears liability for the safety of articles in the passenger's possession only in the event that it is proven that damage or loss of some or all of these articles occurred at the fault of the carrier.

Article 98. Liability of the Carrier for Cargo Safety

The carrier bears liability for the loss of some or all or damage of cargo from the moment it is accepted for shipment to the moment it is picked up by the recipient or transferred in accordance with established rules to other organizations, if it is not proven that the carrier had taken all necessary steps to prevent damage or that it was impossible to implement such measures. In particular the carrier is released from liability if damage or loss of some or all of the cargo occurred owing to:

- 1) actions or failure to take action by the shipper or recipient;
- 2) deficiencies in packing or crating materials that could not have been determined from external appearance at the time of the cargo's acceptance;
- 3) surrender of cargo for shipment without indicating, in the cargo invoice, its special properties requiring special conditions or precautions during its shipment and storage;
- 4) circumstances associated with loading or unloading performed with resources belonging to the shipper or recipient;
- 5) failure to take the necessary steps to preserve the cargo by persons authorized by the shipper or recipient to accompany the cargo;
- 6) natural loss of cargo within the limits of the established norms during its shipment.

Until such time that the carrier proves otherwise, it is presumed that damage or loss of some or all of the cargo occurred during shipment.

Article 99. Release of the Carrier From Liability When Packaging Material and Seals Are Undamaged

The carrier is released from liability for any cargo shortage if the cargo arrives in undamaged packaging material, crate or container and with undamaged seals attached by the shipper, if the party filing a claim or suit fails to prove that the cargo shortage was owing to the fault of the carrier.

Article 100. The Amount of the Carrier's Liability for Damage and Loss of Some or All of Cargo and Baggage and of Articles in the Passenger's Possession

The carrier bears liability in the following amounts for damage or loss of some or all of cargo, baggage or articles in the passenger's possession:

- 1) for loss of some or all cargo or baggage accepted for shipment with a declared value--an amount equal to the declared value, and in the event that the carrier proves that the declared value exceeds the actual cost--an amount equal to the actual cost;
- 2) for loss of some or all cargo accepted for shipment without a declared value--an amount equal to the actual cost;
- 3) for loss of some or all baggage accepted for shipment without declared value and of articles in the passenger's possession--an amount equal to the actual cost, but not over the limit established by the USSR Council of Ministers;
- 4) for damage to cargo, baggage or articles in the passenger's possession--a sum equal to the decrease in their value.

When some or all cargo is lost, in addition to paying compensation equal to the actual cost or declared value of the cargo, the carrier refunds money paid for shipment of the lost cargo if this amount is not included in the price of the cargo.

If some or all baggage for which shipment had been prepaid is lost, in addition to paying compensation the carrier refunds the amount paid for shipment of the lost baggage.

The limits of liability established in Paragraph 3 in the first part of this article do not apply if it is proven that damages were caused deliberately by the carrier or through his gross carelessness.

Article 101. Liability of the Carrier for Delivering Cargo or Baggage Late

For late cargo delivery the carrier pays the recipient a fine equal to 5 percent of the shipping charge for every day that delivery is late, but not over 50 percent of the shipping charge. For late baggage delivery the carrier pays the recipient a fine equal to 10 rubles for each day the baggage is late, but not over 30 rubles.

The carrier bears liability for delivering cargo or baggage late if he fails to prove that he had taken all necessary steps to prevent late delivery or that such steps could not have been taken. In particular the carrier is released from liability if late delivery was owing to unfavorable meteorological conditions.

The cargo shipper or recipient is entitled to treat it as lost and demand the corresponding compensation if this cargo had not been turned over to the

recipient for 10 days after the delivery deadline. However, if the cargo did arrive before this deadline, the recipient is obligated to accept the cargo and return money paid by the carrier for lost cargo.

Article 102. Liability of the Carrier for Loss, Damage and Late Delivery of Mail

The carrier bears material liability before communication organs for the loss, damage or late delivery of mail at the fault of the carrier, in an amount equal to the liability of communication organs to senders or addressees.

Article 103. Liability of Passengers, Shippers and Recipients

Passengers, shippers and recipients are obligated to compensate for losses, for which they are at fault, caused to the property of the carrier and property of other persons in relation to whom the carrier bears liability, in accordance with the general norms of civil law.

Article 104. Unenforcibility of Agreements to Reduce the Carrier's Liability

Any agreements made by the carrier with passengers, shippers or recipients to reduce their liability as foreseen by this Code are invalid.

Article 105. Drawing Up Carrier's Statements

Circumstances which may serve as grounds for material liability on the part of the carrier, passengers, shippers and recipients are documented in a carrier's statement. The order of drawing up a carrier's statement and the order of documenting circumstances not requiring a carrier's statement to be drawn up are established by shipment rules.

A carrier's statement is drawn up when cargo or baggage is delivered in order to document the following circumstances:

- 1) an inconsistency between the cargo's actual name, weight (mass) or number of spaces and the date indicated in the shipping document.
- 2) damage to cargo;
- 3) partial loss or damage of baggage;
4. discovery of cargo or baggage not accompanied by documents, and of documents not accompanied by cargo or baggage.

Article 106. Filing a Demand for Compensation of Damages in Cases of the Death or Health Impairment of a Passenger

In the event that a passenger suffers health impairment, the victim is entitled to file a demand for compensation of damages with the carrier, and in the event of the passenger's death, this right belongs to persons entitled to compensation for damages according to the general norms of civil law.

Article 107. The Order of Filing Complaints

Before a suit can be filed against a carrier in connection with the shipment of a passenger, baggage, cargo or mail, a complaint must be filed against him, except in relation to demands stemming from the death or health impairment of a passenger.

Complaints are filed against the aviation enterprise servicing the shipper's location or the destination, at the discretion of the person filing the complaint.

Complaints stemming from shipment by direct mixed traffic are filed:

- 1) against the aviation enterprise if an airport is the shipment destination;
- 2) against the appropriate transportation organization, if the shipment destination is a railroad or motor vehicle station, pier or port.

Article 108. Persons Entitled to File Complaints and Suits

The right to file complaints and suits against a carrier is possessed by:

- 1) in the case of the loss or late delivery of baggage--the bearer of the baggage receipt, and in the case of partial loss or damage to baggage--the bearer of the carrier's statement;
- 2) in the case of the loss of cargo:

the recipient, on the condition that the cargo invoice issued by the carrier to the shipper is presented bearing a note from the destination airport indicating the cargo has not arrived, and when it is impossible to present such an invoice, a document indicating payment of the value of the cargo and a statement from the aviation enterprise indicating dispatch of the cargo and bearing a note from the destination airport that the cargo failed to arrive;

the shipper, on the condition that he presents the cargo invoice to him;

- 3) in the case of partial loss or damage of cargo--the recipient, on the condition that he presents the cargo invoice that had accompanied the cargo, and a carrier's statement;
- 4) in the case of late cargo delivery--the recipient, on the condition that he presents the cargo invoice that had accompanied the cargo.

Absence of a carrier's statement does not forfeit the right to file a complaint or the right to sue, if it is proven that workers of the aviation enterprise refused to draw up a carrier's statement and that their actions had been appealed by the shipper or recipient.

Article 109. Transfer of the Right to File a Complaint and a Suit

Transfer of the right to file a complaint or a suit to other organizations or persons is not permitted, except in cases where this right is transferred

to the recipient or by the recipient to the shipper, as well as by the recipient or shipper to a higher or a lower organization.

Article 110. Deadlines for Filing Complaints

Complaints may be filed against a carrier within 6 months, and complaints involving the payment of a fine may be filed within 45 days.

These deadlines are reckoned:

- 1) in relation to complaints involving compensation for partial loss or damage of baggage, cargo, or mail and for late delivery of baggage, cargo or mail--from the day of their delivery;
- 2) in relation to complaints involving compensation for loss of cargo--from 10 days after the delivery deadline;
- 3) in relation to complaints involving compensation for loss of baggage or mail--from the delivery deadline;
- 4) in all other cases--from the day on which the event serving as the grounds for filing a claim occurred.

The carrier is entitled to accept a complaint for examination after the complaint deadline if he recognizes extenuating circumstances behind late filing of the complaint.

Article 111. Deadlines for Examination of Complaints and Filing Suit

The carrier is obligated to examine a complaint and notify the claimant of its satisfaction or rejection within 3 months; he is obligated to do so within 6 months in relation to complaints involving shipment by direct mixed traffic and 45 days in relation to complaints involving payment of a fine.

If a complaint is rejected or if a reply is not received within the established time, the claimant is entitled to file suit against the carrier in court or arbitration within 2 months of the day a reply is received or of the deadline established for replying to a complaint.

Article 112. Deadline for Filing Suit on Demand of the Carrier

Suits against passengers, shippers or recipients involving air shipment are filed by carrier within 6 months of the day of the event serving as the grounds for filing suit.

Article 113. Mandatory Insurance of Passengers

Passengers carried aboard aircraft are subject to mandatory state insurance in the order determined by USSR law.

Article 114. Shipment Rules

The rules of air shipment of passengers, baggage and cargo by aviation enterprises of the USSR Ministry of Civil Aviation are established by the USSR Ministry of Civil Aviation.

The rules of air shipment of mail are established by the USSR Ministry of Civil Aviation in coordination with the USSR Ministry of Communications.

CHAPTER VIII. INTERNATIONAL AIR SHIPMENT OF PASSENGERS, BAGGAGE, CARGO AND MAIL

Article 115. International Air Shipment

International air shipment is defined as any shipment by aircraft where the shipping point and the destination are located as follows, irrespective of whether or not transloading or interruption in shipment had occurred:

- 1) on the territory of two states;
- 2) on the territory of the same state if a stop on the territory of another state is foreseen.

Article 116. Regulation of International Air Shipments

The general statutes on air shipment of passengers, baggage and cargo apply to international air shipments of passengers, baggage and cargo aboard USSR civil aircraft, together with the amendments and supplements indicated in this chapter, unless otherwise determined by international treaties of the USSR.

International air shipments of mail are made in compliance with the rules of international postal agreements signed by the USSR.

Article 117. Shipment Documents

A contract for international air shipment of a passenger and the terms of this contract are documented by a ticket, and the checking of baggage is documented by a baggage receipt.

A contract for international air shipment of cargo, its terms and acceptance of the cargo by the carrier are documented by a cargo invoice.

Absence, incorrectness or loss of a ticket, a baggage receipt or a cargo invoice influence neither the existence nor the enforceability of a shipment contract.

Article 118. Authenticity of Data on the Cargo Invoice

Data on a cargo invoice indicating cargo weight (mass), dimensions and packaging material as well as the number of spaces required are treated as being authentic unless the carrier is able to prove otherwise. Data indicating the quantity, volume and condition of the cargo are said to be authentic only in the event that the carrier had inspected the cargo in the established order and in the presence of the shipper, and if this is indicated in the cargo invoice, or in the event that these data concern the external appearance of the cargo.

Article 119. Documents Attached to a Cargo Invoice

The shipper is obligated to provide information and attach to the cargo invoice all documents required for customs and other formalities prior to issue of the cargo to the recipient. The shipper is liable to the carrier for all losses that may occur due to the absence, insufficiency or incorrectness of this information and of these documents, except in cases where the carrier is at fault.

Article 120. Amendment of a Contract for International Air Shipment of Cargo

On the condition that all terms implied by a contract for international air shipment are fulfilled and that a cargo invoice is presented to the carrier, the shipper is entitled to reclaim the cargo at the dispatch location or the destination, to detain such cargo at intermediate landing points, to change the recipient indicated in the invoice and to demand return of the cargo to the dispatch location. Exercise of this right by the shipper must not be detrimental to either the carrier or other shippers. The shipper is obligated to compensate for the consequent outlays. If it is impossible to fulfill the instructions of the shipper, the carrier is obligated to inform him of this immediately.

From the moment cargo arrives at the destination, the recipient is entitled to demand the cargo and the cargo invoice from the carrier if other instructions had not been sent by the shipper prior to this.

The shipper's right is terminated the moment the recipient's right to demand presentation of the cargo and the cargo invoice to him goes into effect. However, if the recipient refuses to accept the cargo or if the cargo cannot be surrendered to him, the shipper once again acquires the right to dispose of the cargo.

Every qualification that amends the terms indicated in this article must be written in the cargo invoice.

The rules of this article influence neither the mutual relationships between the shipper and recipient nor the relationships to third parties having rights ensuing from the shipper or from the recipient.

Article 121. Liability of the Carrier to A Passenger

The carrier is liable for damages arising owing to the death or health impairment of a passenger during air shipment, and for losses caused by late arrival, if he fails to prove that he had taken all necessary steps to prevent damage and loss, or that it was impossible to take such steps.

Article 122. Liability of the Carrier for Baggage and Cargo

The carrier bears liability for loss of all or part or damage of baggage or cargo, if the incident resulting in the damage occurred during the time that the baggage or cargo was under the carrier's care, irrespective of whether the incident occurred on the ground or aboard the aircraft, and he is liable

for losses owing to late arrival of baggage or cargo if he fails to prove that he had taken all necessary steps to prevent damage and losses or that it was impossible to take such steps.

Article 123. Consideration of the Fault of the Victim

The court may release the carrier from liability foreseen in articles 121 and 122 of this Code, or limit this liability, if the carrier proves that the victim was at fault for the damages or that he had contributed to these damages.

Article 124. Limits of the Carrier's Liability to Passengers

The liability of a carrier transporting passengers for damages in relation to each passenger is restricted by the limits established by USSR international treaties on liability associated with air shipments.

Compensation may be established in the form of periodic payments, in which case the capitalized total of these payments cannot exceed the indicated limit.

Article 125. Limits of the Carrier's Liability for Baggage and Cargo

The liability of a carrier shipping baggage or cargo for every kilogram of baggage or cargo is restricted to the limit established by USSR international treaties on liability associated with air shipments, except in cases where the shipper had turned the baggage or cargo over to the carrier with a declared value. In this case liability is set equal to the declared value, if the carrier fails to prove that it exceeds the actual damages.

In the case of complete or partial loss, damage or late delivery of baggage or cargo or some object contained within, only the total weight (mass) of the given space or spaces is accounted for when determining the amount of compensation.

However, when the partial or complete loss, damage or late delivery of some part of the baggage or cargo or some article contained in it influences the cost of other spaces included in the same baggage receipt or cargo invoice, then the total weight (mass) of these spaces must be taken into account when determining the amount of compensation.

Article 126. Liability of the Carrier for Complete or Partial Loss and Damage to Articles in the Passenger's Possession

The carrier's liability for complete or partial loss or damage to articles in a passenger's possession is restricted to the limit established by USSR international treaties on liability associated with air shipments.

Article 127. Inapplicability of the Limits of the Carrier's Liability

The liability limits indicated in articles 124-126 of this Code are inapplicable if it is proven that the damages were caused intentionally by the carrier or through his gross carelessness.

Article 128. Agreements on Raising Liability Limits

The carrier is entitled to sign an agreement with a passenger, shipper or recipient raising the carrier's liability limits over the limits established by USSR international treaties.

Article 129. The Order and Deadline of Filing Complaints

In a case where baggage or cargo is accepted without objection, it is presumed, unless proven otherwise, that such baggage or cargo had been delivered in good condition and in accordance with the shipment document.

In the case where damages occur, the person entitled to receive the baggage or cargo must submit a written complaint to the carrier immediately upon discovering the damage, but not later than 7 days after receiving the baggage and 14 days after receiving cargo. In the case of late delivery, the complaint must be filed in not more than 21 days, counting from the day on which the baggage or cargo was transferred into the possession of the recipient.

In the case of lost baggage or cargo, complaints must be filed against the carrier within 2 years of the day of the aircraft's arrival at its destination, or of the day on which the aircraft was scheduled to arrive, or of the day when shipment was terminated.

In the absence of a written complaint presented within the deadlines indicated above, a suit cannot be filed against the carrier.

Article 130. Deadlines for Filing Suit and Jurisdiction

Suits against a carrier stemming from an international air shipment are filed in court at the location of the carrier's administration not later than 2 years **from the day of the aircraft's arrival at its destination, or the day when the aircraft was scheduled to arrive, or the day shipment was terminated.**

Article 131. Rules of International Air Shipments

The rules of international air shipment of passengers, baggage and cargo are established by the USSR Ministry of Civil Aviation.

Article 132. Activities of Foreign Aviation Enterprises on USSR Territory

Foreign aviation enterprises perform their activities on USSR territory in accordance with the laws of the USSR and the union republics, international treaties of which the USSR and the corresponding foreign states are participants, and special permits for one-time flights.

Foreign aviation enterprises may open local agencies on USSR territory in accordance with USSR laws.

Foreign aircraft are not entitled to:

- 1) take passengers, baggage, cargo and mail aboard on USSR territory for shipment to the territory of a foreign state, or to deliver the former to USSR territory from the territory of a foreign state in cases where such

actions are not foreseen by international treaties on air traffic of which the USSR and the corresponding foreign states are participants, or by special permits for one-time flights;

2) take passengers, baggage, cargo and mail aboard on USSR territory for shipment to another point on USSR territory without special permission from the USSR Ministry of Civil Aviation.

Article 133. Compliance with Rates and Rules

Aviation enterprises **making** international shipments are obligated to comply with the appropriately approved rates on international shipment of passengers, baggage and cargo and the rules of using these rates, as well as with rules effective in the USSR concerning the sale of tickets and the issue of cargo invoices and other shipment documents.

CHAPTER IX. CHARTER FLIGHTS

Article 134. The Charter Contract

The charter contracts obligates one of the parties (the carrier) to provide to the other party (the charterer), for a fee, the entire capacity or part of the capacity of one or several aircraft for one or several runs in order to ship passengers, baggage, cargo or mail or for other purposes.

A charter contract must include the names of the parties, the type of aircraft, the purpose of the charter, the maximum quantity of passengers, baggage, cargo and mail to be carried, the charter fee, the place and time of dispatch and the destination of the aircraft. The charter contract can also include other terms.

Article 135. Rights and Responsibilities of the Carrier

The carrier is obligated to promptly furnish aircraft space and keep the aircraft fit for use for the purpose foreseen by the contract throughout the entire period of the contract.

In the interests of flight safety the carrier is entitled to postpone or cancel a take-off, make landings, **stopovers and repairs during a** flight, change a route, or terminate a flight, and reduce the quantity of passengers, baggage, cargo and mail taken aboard in keeping with the terms of the contract.

Article 136. Rights and Responsibilities of the Charterer

The charterer is obligated to promptly pay the fee foreseen by the contract and insure timely delivery of passengers, baggage, cargo and mail to the take-off location.

With the consent of the carrier, the charterer may offer the chartered aircraft for subcharter.

The charterer may release himself from the contract by paying a penalty in an amount foreseen by the charter contract.

Article 137. Liability Associated with the Charter Contract

A party to a charter contract is released from liability for failing to fulfill the contract or for fulfilling the contract improperly if he proves that he was not at fault for the failure to fulfill the contract or a failure to fulfill it correctly.

The carrier bears no liability before the charterer in a case where the aircraft is unfit for operation at no fault of the carrier.

Article 138. Liability of the Carrier Before Passengers, Shippers and Recipients

When making a shipment aboard a chartered aircraft, the carrier bears liability before the passengers, shippers and recipients in accordance with the statutes on the carrier's liability foreseen by chapters VII and VIII of the Code.

CHAPTER X. USE OF USSR CIVIL AVIATION IN
SPECIFIC SECTORS OF THE NATIONAL ECONOMY

Article 139. Aviation Operations

Aviation operations are **conducted** in specific sectors of the national economy (in agriculture, in construction, for forest protection, to service expeditions and so on), and aircraft are used to render medical assistance to the public, to implement public health measures and to support experiments and scientific research by aviation enterprises of the USSR Ministry of Civil Aviation on the basis of contracts with the interested organizations.

Other enterprises, institutions and organizations possessing aircraft may make flights for these purposes in support of their own needs, except in cases foreseen by USSR laws.

Article 140. The Planning of Aviation Operations

Aviation operations are performed in accordance with plans approved in the established order. Unplanned aviation operations may be performed on the basis of one-time requests by interested enterprises, institutions and organizations, insofar as this does not influence fulfillment of planned aviation operations.

Article 141. The Order of Performing Aviation Operations

The order of performing aviation operations is established by the USSR Ministry of Civil Aviation in coordination with interested ministries, state committees and departments.

Aviation operations are performed in accordance with rates approved in an order determined by the USSR Council of Ministers.

In coordination with interested ministries, state committees and departments the USSR Ministry of Civil Aviation approves the basic terms of and the standard contracts for the performance of aviation operations in specific sectors of the national economy, foreseeing in particular that construction of airfields and landing strips, their operational maintenance, construction of buildings for storage of materials and special aviation equipment, the safeguarding of such materials and equipment, creation of the necessary housing, cultural and personal conditions for the crews and provision of medical and other forms of support are the responsibility of the client.

The client must use an aircraft in accordance with the contract and the basic terms regulating the operations.

Article 142. Liability for Damages Caused During the Performance of Aviation Operations

The aviation enterprise bears liability in the order and in relation to the conditions foreseen by articles 64, 96-98 of this Code for damages caused to people and property during the performance of operations indicated in this chapter.

CHAPTER XI. ADMINISTRATIVE LIABILITY FOR VIOLATION OF THE SAFETY RULES OF AIRCRAFT FLIGHT AND USE OF AIR TRANSPORT RESOURCES AND OF RULES ESTABLISHED TO INSURE CARGO SAFETY

Article 143. Violation of Flight Safety Rules

The placement, within the area of an airfield, of any signs and devices similar to marking signs and devices used for airfield identification, or the lighting of pyrotechnic devices without the permission of the airport or airfield administration, or installation of facilities promoting mass accumulation of birds causing a hazard to aircraft flight:

carries a fine of 30 rubles for a citizen and from 10 to 50 rubles for officials.

Failure to comply with the rules of locating night and day marking signs or devices on buildings and structures:

carries a fine of 30 rubles for a citizen and from 10 to 50 rubles for officials.

Damage of airfield equipment, airfield signs, aircraft and their equipment:

carries a fine of up to 50 rubles.

Walking or riding across the territory of airports (except for air terminals), airfields and flight radio and light support installations without appropriate permission:

carries a fine of up to 30 rubles.

Article 144. Violation of the Rules of Transporting Dangerous Substances and Objects

Violation of the rules of transporting dangerous substances or articles:

carries a fine from 10 to 50 rubles for a citizen, with or without compensated removal or confiscation of these substances and objects, and a fine from 20 to 50 rubles for officials.

Article 145. Violation of Rules Established to Insure Cargo Safety

Damage to seals and locking devices of containers, removal of seals from them, and damage to separate cargo spaces, crates and packages as well as to enclosures of storage areas used for operations associated with cargo shipment:

carries a fine of up to 30 rubles.

Damage to containers and transportation resources intended for cargo shipment:

carries a fine of up to 50 rubles.

Article 146. Violation of the Rules of Behavior Aboard an Aircraft

Failure of persons aboard an aircraft to fulfill the craft commander's instructions:

carries a warning or a fine from 10 to 50 rubles.

Violation of the rules of still and motion picture photography and of the use of radio communication resources aboard an aircraft:

carries a warning or a fine of up to 30 rubles, coupled with confiscation of the film.

Article 147. Violation of Fire Safety, Public Health and Epidemiological Rules

Violation of fire safety, public health and epidemiological rules established for air transport:

carries a fine of up to 30 rubles for a citizen and from 10 to 50 rubles for officials.

Article 148. Flight Without a Ticket

Flight of passengers without a ticket carries a fine of up to 20 rubles.

Payment of the fine does not release the passenger from paying for the cost of the flight.

Article 149. Violation of the Rules of International Flight

Violation of the rules of international flight carries a fine from 100 to 200 rubles.

Article 150. Criminal Liability for Violations Aboard Air Transportation

For violations foreseen by articles 143-149 of this Code, offenders bear administration liability if these violations do not by their nature incur criminal liability in accordance with existing legislation.

Article 151. Liability of Workers of USSR Civil Aviation for Administrative Violations

Workers of USSR civil aviation to whom the Disciplinary Code of Civil Aviation Workers applies bear disciplinary liability in cases directly foreseen by the Code for administrative violations committed by them in the course of their performance of official duties.

Article 152. Officials Examining Cases of Administrative Violations

Cases of administrative violations foreseen by articles 143-149 of this Code are examined in accordance with existing legislation by officials of air transportation, internal affairs (militia) and state fire inspection organs as well as of organs and institutions responsible for state public health inspection.

The list of officials who examine cases of administrative violations foreseen by this Code in behalf of the organs indicated in the first part of this article is established by the USSR Council of Ministers.

Article 153. Violation of Shipment and Rate Rules by Aviation Enterprises

Aviation enterprises guilty of violating rules foreseen by articles 132 and 133 of this Code are subject to a fine of up to 10,000 rubles and, in cases of repeat violations of these rules, from 10,000 to 50,000 rubles.

Cases involving violations foreseen by the first part of this article are examined by the rayon (city) peoples court located at the place of the violation or at the location of the legal person or his representative.

A decision by the rayon (city) peoples court to impose a fine may be appealed to a higher court.

USSR Supreme Soviet Presidium First
Deputy Chairman V. Kuznetsov.

USSR Supreme Soviet Presidium Secretary
T. Menteshashvili.

Attachment to the USSR Air Code

DESCRIPTION OF THE FLAG AND EMBLEM OF AEROFLOT

A red (or ruby-colored) 150 × 75 cm rectangular flag, with a blue isosceles triangle in the center of the rectangle. The base of the triangle, 40 cm long, is flush with the flagstaff, and the height of the triangle is 85 cm.

There is a gold five-pointed star with a diameter of 8 cm above the triangle located 10 cm from the flagstaff and 2 cm from the edge.

The Aeroflot emblem is located on the blue triangle 5 cm from the flagstaff.

The Aeroflot emblem consists of silver wings on the background of a gold hammer and sickle. The span of the unfolded wings is 35 cm, and the diameter of the circle containing the hammer and sickle is 11.5 cm.

The flag and the Aeroflot emblem may be manufactured in a larger or smaller size, but only if the established proportions are observed. Use of the emblem separately from the flag is permitted as well.

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END