

---

STATUTORY INSTRUMENTS

---

**1972 No. 1268**

**CIVIL AVIATION**

**The Mortgaging of Aircraft Order 1972**

*Laid before Parliament in draft*

*Made - - - - 14th August 1972*

*Coming into Operation 1st October 1972*

**THE MORTGAGING OF AIRCRAFT ORDER 1972**

*Citation and Commencement*

1. This Order may be cited as the Mortgaging of Aircraft...

*Interpretation*

2. (1) The Interpretation Act 1889 applies for the interpretation of...

*Mortgage of Aircraft*

3. An aircraft registered in the United Kingdom nationality register or...

*Registration of Aircraft Mortgages*

4. (1) Any mortgage of an aircraft registered in the United...
5. (1) A notice of intention to make an application to...
6. (1) Where two or more aircraft are the subject of...
7. (1) When an application to enter a mortgage or priority...

*Amendment of entries in the Register*

8. (1) Any change in the person appearing in the Register...

*Discharge of Mortgages*

9. (1) Where a registered mortgage is discharged the mortgagor shall...

*Rectification of the Register*

10. Any of the following courts, that is to say the...

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

*Inspection of Register and copies of entries*

11. (1) On such days and during such hours as the...

*Removal of aircraft from the United Kingdom Nationality Register*

12. The removal of an aircraft from the United Kingdom nationality...

*Register as notice of facts appearing in it*

13. All persons shall at all times be taken to have...

*Priority of Mortgages*

14. (1) Subject to the following provisions of this article, a...

*Mortgage not affected by bankruptcy*

15. A registered mortgage of an aircraft shall not be affected...

*Application of Bills of Sale Acts and registration provisions of the Companies Acts*

16. (1) The provisions of the Bills of Sale Acts 1878...

*False Statement and Forgery*

17. (1) If, in furnishing any information for the purpose of...

*Indemnity*

18. (1) Subject to paragraph (2) of this article, any person...

*Application to Scotland*

19. The provisions of Schedule 2 to this Order shall have...  
Signature

---

SCHEDULE 1 — FORMS

- PART I — REGISTER OF AIRCRAFT MORTGAGES
- PART II — REGISTER OF AIRCRAFT MORTGAGES
- PART III — REGISTER OF AIRCRAFT MORTGAGES
- PART IV — REGISTER OF AIRCRAFT MORTGAGES

SCHEDULE 2 —

PART I — APPLICATION OF THE ORDER TO SCOTLAND

- 1. (a) In this Schedule— “act of bankruptcy” has the meaning...
- 2. A security created in Scotland under Article 3 of this...
- 3. A mortgage registered under this Order shall have effect without...
- 4. A mortgage so registered may be transferred, in whole or...
- 5. An aircraft mortgage may be discharged, in whole or in...
- 6. The provisions of paragraphs 7 to 11 of this Schedule,...
- 7. Where the mortgagor, or the owner, is in default within...
- 8. The mortgagor or the owner shall be in default if—...
- 9. Where default as aforesaid has occurred the mortgagee may sell...
- 10. Moneys received by a mortgagee from the sale of the...

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

11. (1) Where default as aforesaid has occurred the mortgagee may...
12. The Court of Session shall have jurisdiction to grant an...
13. The provisions of section 16 of the Administration of Justice...
  - PART II — AIRCRAFT MORTGAGE
  - PART III — AIRCRAFT MORTGAGE
  - PART IV — AIRCRAFT MORTGAGE

Explanatory Note