
STATUTORY INSTRUMENTS

1972 No. 1268

The Mortgaging of Aircraft Order 1972

Registration of Aircraft Mortgages

4.—(1) Any mortgage of an aircraft registered in the United Kingdom nationality register may be entered in the Register of Aircraft Mortgages kept by the Authority.

(2) Applications to enter a mortgage in the Register shall be made to the Authority by or on behalf of the mortgagee in the form set out in Part I of Schedule 1 hereto, and shall be accompanied by a copy of the mortgage, which the applicant shall certify to be a true copy, and the appropriate charge.

5.—(1) A notice of intention to make an application to enter a contemplated mortgage of an aircraft in the Register (hereinafter referred to as “a priority notice”) may also be entered in the Register.

(2) Applications to enter a priority notice in the Register shall be made to the Authority by or on behalf of the prospective mortgagee in the form set out in Part II of Schedule 1 hereto, and shall be accompanied by the appropriate charge.

6.—(1) Where two or more aircraft are the subject of one mortgage or where the same aircraft is the subject of two or more mortgages, separate applications shall be made in respect of each aircraft or of each mortgage, as the case may be.

(2) Where a mortgage is in a language other than English, the application to enter that mortgage in the Register shall be accompanied not only by a copy of that mortgage but also by a translation thereof, which the applicant shall certify as being, to the best of his knowledge and belief, a true translation.

7.—(1) When an application to enter a mortgage or priority notice in the Register is duly made, the Authority shall enter the mortgage or the priority notice, as the case may be, in the Register by placing the application form therein and by noting on it the date and the time of the entry.

(2) Applications duly made shall be entered in the Register in order of their receipt by the Authority.

(3) The Authority shall by notice in its Official Record specify the days on which and hours during which its office is open for registering mortgages and priority notices. Any application delivered when the office is closed for that purpose shall be treated as having been received immediately after the office is next opened.

(4) The Authority shall notify the applicant of the date and time of the entry of the mortgage or the priority notice, as the case may be, in the Register and of the register number of the entry and shall send a copy of the notification to the mortgagor and the owner.