
Status: Point in time view as at 29/04/2021.

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1982, SCHEDULE 12. (See end of Document for details)

SCHEDULES

SCHEDULE 12

Section 89.

PATENT CLAIMS AGAINST AIRCRAFT NOT PROTECTED UNDER CHICAGO CONVENTION

- 1 Where it is alleged by any person interested that a foreign aircraft which is not an aircraft to which section 89 of this Act applies, and which is making a passage through or over the United Kingdom, infringes in itself or in any part of it any invention, design or model which is entitled to protection in the United Kingdom, it shall be lawful, subject to and in accordance with rules of court, to detain the aircraft until the owner thereof deposits or secures in respect of the alleged infringement a sum (in this Schedule referred to as “the deposited sum”); and thereupon the aircraft shall not during the continuance or in the course of the passage be subject to any lien, arrest, detention or prohibition (whether be order of a court or otherwise) in respect or on account of the alleged infringement.
- 2 The deposited sum shall be such sum as may be agreed between the parties interested or, in default of agreement, fixed by the Secretary of State or some person duly authorised on his behalf; and payment thereof shall be made or secured to the Secretary of State in such manner as the Secretary of State shall approve.
- 3 The deposited sum shall be dealt with by such tribunal and in accordance with such procedure as may be specified by rules of court, and such rules may provide generally for carrying this Schedule into effect.
- 4 For the purposes of this Schedule—
 - “owner” shall include the actual owner of an aircraft and any person claiming through or under him; and
 - “passage” shall include all reasonable landings and stoppages in the course or for the purpose of the passage.

Status:

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Changes to legislation:

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