



Civil Aviation Act 1982

1982 CHAPTER 16

PART IV

AIRCRAFT

Rights etc. in relation to aircraft

90 Power to give effect to Convention on rights in aircraft.

- (1) Her Majesty may by Order in Council make such provision as appears to Her Majesty in Council to be necessary or expedient for giving effect to the Convention on the International Recognition of Rights in Aircraft which was signed at Geneva on behalf of the United Kingdom on 19th June 1948.
- (2) Without prejudice to the generality of the powers conferred by subsection (1) above, an Order in Council under this section may, in particular, make provision—
 - (a) for the recognition in the United Kingdom of rights of the kind specified in the Convention in or over aircraft registered in other states party to the Convention, being rights registered or recorded in those states in accordance with the Convention and recognised as valid by the law of the state party to the Convention in which the aircraft in question was registered when the rights were constituted;
 - (b) for subordinating to any such rights as aforesaid, to such extent as may be required under the Convention, any other rights in or over such aircraft as aforesaid, including possessory liens for work done to such aircraft and rights under section 88 above or under regulations made by virtue of [F¹section 83 of the Transport Act 2000 (detention and sale of aircraft)];
 - (c) as respects the operation, in relation to such aircraft as aforesaid, of any of the enactments in force in any part of the United Kingdom relating to bills of sale or the registration of charges on the property or undertaking of companies;
 - (d) for prohibiting the sale in execution of any such aircraft as aforesaid without an order of a court, and otherwise for safeguarding in the case of such a sale any such rights as are mentioned on paragraph (a) above;

Changes to legislation: There are currently no known outstanding effects for the Civil Aviation Act 1982, Section 90. (See end of Document for details)

- (e) for the recognition in the United Kingdom, in priority to other rights in or over any such aircraft as aforesaid or any aircraft registered in the United Kingdom or a relevant overseas territory, of any charge consequent on salvage or similar operations in respect of the aircraft, being a charge arising in accordance with the law of any other state party to the Convention in which those operations terminated;
- (f) for the application, in accordance with the Convention, of provisions corresponding to those made by virtue of paragraphs (a) to (d) above to cases where a right such as is mentioned in the said paragraph (a) (being a right created as security for the payment of indebtedness) extends to any store of spare parts for the aircraft in question.

Textual Amendments

- F1** Words in s. 90(2)(b) substituted (1.4.2001) by 2000 c. 38, s. 97, **Sch. 8 Pt. III para. 7** (with s. 106); S.I. 2001/869, **art. 2**

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