
STATUTORY INSTRUMENTS

1981 No. 611

CIVIL AVIATION

The Mortgaging of Aircraft (Amendment) Order 1981

Laid before Parliament in draft

Made - - - - 13th April 1981

Coming into Operation 1st May 1981

At the Court at Windsor Castle, the 13th day of April 1981

Present,

The Queen's Most Excellent Majesty in Council

Whereas a draft of this Order has been laid before and approved by a resolution of each House of Parliament, in accordance with section 18(3) of the Civil Aviation Act 1968:

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 16 of the Civil Aviation Act 1968 and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Mortgaging of Aircraft (Amendment) Order 1981 and shall come into operation on 1st May 1981.

2.—(1) For Article 9 of the Mortgaging of Aircraft Order 1972 there shall be substituted the following:—

“9. On receipt of the form set out in Part IV of Schedule 1 hereto duly completed and signed by or on behalf of the mortgagee and of a copy of the document of discharge or receipt for the mortgage money, or of any other document which shows, to the satisfaction of the Authority, that the mortgage has been discharged and on payment of the appropriate charge, the Authority shall enter the said form in the Register and mark the relevant entries in the Register ‘Discharged’ and shall notify the mortgagee, mortgagor and the owner that it has done so.”

(2) For Part IV of Schedule 1 to the Order there shall be substituted the following:—
Article 9

“PART IV

REGISTER OF AIRCRAFT MORTGAGES

Discharge of registered mortgage

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N. E. Leigh
Clerk of the Privy Council

EXPLANATORY NOTE

This Order amends the Mortgaging of Aircraft Order 1972. The mortgagor is no longer required to notify the Civil Aviation Authority of the discharge of a mortgage. The discharge may be entered in the Mortgage Register on receipt by the Authority of confirmation by the mortgagee that the mortgage has been discharged.