

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

AERONAUTICAL CENTER
P.O. BOX 25082
OKLAHOMA CITY, OKLAHOMA 73125



NOV 16 1979

R. Harris Turner, Esq.
General Counsel
International Air Service, Inc.
P.O. Box 480233
Miami, Florida 33148

Dear Mr. Turner:

Your letter of November 12, 1979, and its enclosures, to the Chief, Airmen and Aircraft Registry, has been referred to this office for reply. We have also received a copy of the certificate of repossession.

On the basis of a review of these documents, it appears that your client has complied with the requirements of Section 47.11 of the Federal Aviation Regulations (14 C.F.R. 47.11). This determination is for registration purposes only in accordance with the provisions of Section 501(f) of the Federal Aviation Act of 1958, as amended (49 U.S.C. 1401(f)).

In order to register the aircraft, in addition to compliance with Section 47.11, it is necessary that the requirements of Section 47.37 of the Federal Aviation Regulations also be met since the aircraft was last previously registered in Nicaragua. This is in recognition of our obligations under the provisions of Articles 18 and 19 of the Chicago Convention.

It does not appear that the Cuban situation of 1960 is comparable to the present situation. It is our understanding that in the Cuban situation diplomatic relations had been severed and there was no communication between the Governments. In the case of Nicaragua, there are diplomatic relations and there is communication. In fact, in the case of eight aircraft, confirmation of deregistration has been received from Nicaraguan Air Ministry.

In regard to the 1964 situation involving Mr. Taylor, a review of the aircraft file reveals that confirmation of deregistration was received in that case from the appropriate representative of Uruguay.

Accordingly, it is our opinion that on the basis of the documents and information submitted, Section 47.37 of the Federal Aviation Regulations has not been complied with and the subject aircraft cannot be registered at this time.

We will consider any other documents and/or information you may wish to submit.

Sincerely,

Original signed by:
Joseph T. Brennan

JOSEPH T. BRENNAN
Aeronautical Center Counsel

for
enc-200
ABC-7