

June 3, 1974

Mr. John S. Yodice, Esq.
Washington Counsel
Airline Owners and Pilots Association
Washington, D.C. 20014

Dear John:

Your letter of April 16, 1974, asked two questions concerning Aircraft Registry activities. The first concerns aircraft whose registration is cancelled for export then reinstated upon its return to the U.S.

The procedure in the Registry is to see if an aircraft has been previously registered in the United States. If so, the old file is recalled from Federal Storage and the old and new records are combined in the current folder. Unfortunately, there was a period of time when the Registry did not recall the cancelled files contrary to its own procedures. When such a case is called to their attention, they immediately recall the old folder and complete the action to combine the records.

Amendment 47-11, effective June 10, 1971, modified Section 47.47 to treat all cancellations in the same manner, i.e., the holder of a certificate of aircraft registration who wishes to cancel registration for export of an aircraft to any foreign country (whether or not that country has ratified the Convention on International Recognition of Rights in Aircraft) must submit evidence that each holder of a recorded right has been satisfied or consents to the export, or, in the event the aircraft is under a conditional sales contract, the written consent of the seller, bailor, or lessor.

As to the second question: Section 101(17) of the FAA Act does not limit the definition of conveyances to "security interests", but states: "Conveyance means a bill of sale, contract of conditional sale, mortgage, assignment of mortgage, or other instrument affecting title to, or interest in, property." Furthermore, Section 49.1 states that Part 49 applies to the recording of certain conveyances affecting title to, or any interest in aircraft registered under Section 501 of the Act, specifically identified engines, etc. Likewise, Section 49.17(a) repeats the statutory definition of conveyances.

Although there are no specific requirements set out for the recordation of leases, these types of conveyances are being recorded when they meet the general recording requirements.

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If you or your title search representatives need any further discussion on these matters, please let me know.

Sincerely,

ALLEN H. BARR
Aeronautical Center Counsel

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DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

DATE

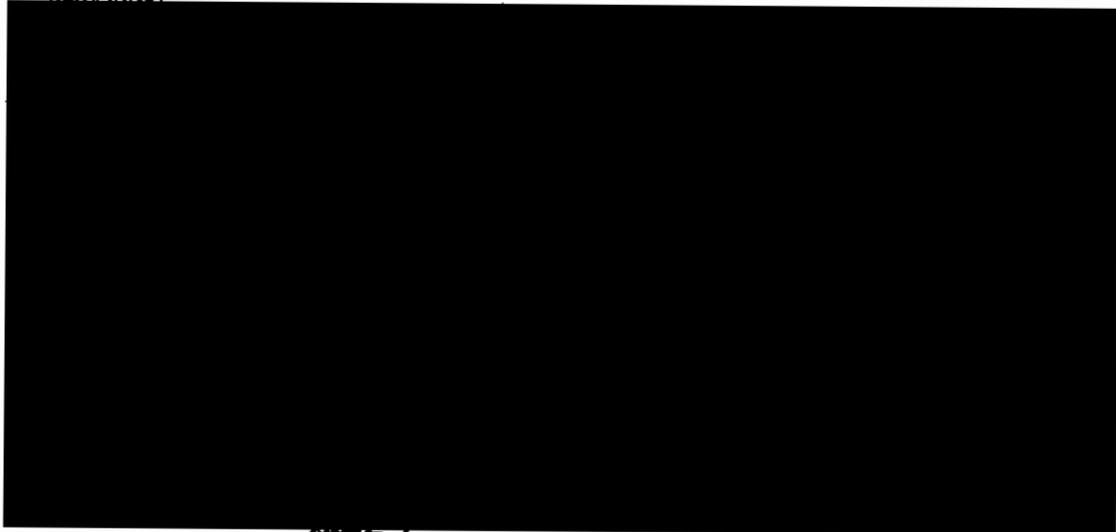
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REMARKS:



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