

ACT

To amend the Aviation Act, 1923, and the Aviation Amendment Act, 1946.

(*Afrikaans Text signed by the Governor-General.*)
(Assented to 3rd June, 1947.)

BE IT ENACTED by the King's Most Excellent Majesty, the Senate and the House of Assembly of the Union of South Africa, as follows:—

Substitution of new section for section 1 of Act 16 of 1923.

1. Section *one* of the Aviation Act, 1923, which, as amended, is hereinafter referred to as the principal Act, is hereby repealed and the following section substituted therefor:

"Adoption of Convention on International Civil Aviation. 1. (1) The Convention on International Civil Aviation, drawn up at Chicago on the seventh day of December, 1944, and ratified by the Government of the Union on the first day of March, 1947, is hereby adopted.
(2) The terms of the said Convention are set out in the Schedule to this Act."

Insertion of section 14bis in Act 16 of 1923.

2. The following section is hereby inserted after section *fourteen* of the principal Act:

"Exemption of certain aircraft and parts thereof from seizure on patent claims. 14bis. (1) Any lawful entry into the Union or any lawful transit across the Union, with or without landings, of an aircraft to which this section applies, shall not entail any seizure or detention of the aircraft or any proceedings being brought against the owner or operator thereof or any other interference therewith by or on behalf of any person in the Union on the ground that the construction, mechanism, parts, accessories or operation of the aircraft is or are an infringement of any patent, design or model.

(2) The importation into, and storage in, the Union of spare parts and spare equipment for an aircraft to which this section applies, and the use and installation thereof in the repair of such an aircraft shall not entail any seizure or detention of the aircraft or of the spare parts or spare equipment or any proceedings being brought against the owner or operator of the aircraft or the owner of the spare parts or spare equipment or any other interference with the aircraft by or on behalf of any person in the Union on the ground that the spare parts or spare equipment or their installation are or is an infringement of any patent, design or model: Provided that this sub-section shall not apply in relation to any spare parts or spare equipment which are sold or distributed in the Union or are exported from the Union for sale or distribution.

(3) This section applies to an aircraft, other than an aircraft used in military, customs or police services, registered in any country or territory in the case of which there is for the time being in force a declaration made by the Governor-General by proclamation in the *Gazette*, with a view to the fulfilment of the provisions of the Convention to which this section relates, that the benefits of those provisions apply to that country or territory,