Any change in ownership by reason of death and any judgment transferring, establishing, or declaratory of ownership must be recorded in the register at the request of the new owner.

Chapter II. Mortgage and attachment of aircraft.

Art. 11. Aircraft as defined in Article 1 of this Code may be mortgaged only by agreement between the parties.

Insofar as they belong to the owner of the aircraft, a mortgage shall affect the fuselage, the engines, propellers, board instruments and all parts permanently installed on the aircraft, whether they are fixed thereon or are temporarily detached.

Art. 12. A mortgage may by a single legal act, be imposed on all or part of an airfleet belonging to the same person provided that the various elements of the fleet are specified in such act.

Art. 13. A mortgage may be extended to cover also spare parts suitable for the type of aircraft mortgaged, provided such pieces are specified.

Such spare parts shall be kept in one or more places of which notice shall be given as provided for in Article [1]4.[5] When they are used on aircraft to which they belong, they must be immediately replaced. The creditor must be notified of such use.

Art. 14. The spare parts mentioned in the preceding article include all parts constituting aircraft, engines, propellers, radio equipment, instruments, furnishings, parts of various component parts and, in general, all objects whatever which are kept for the replacement of parts constituting the aircraft, provided they are specified.

Appropriate notice, given at the place by way of posting, must duly notify third persons of the kind and extent of the mortgage on such parts and must mention the register where the mortgage is recorded, and the name and address of the mortgagee.

An inventory showing the kind and number of such pieces shall be attached to the document recorded.

Art. 15. A mortgage is void unless it is in writing. The act establishing it may be certified or under private seal, and shall be subject to the legislation on common law, particularly as to registration in application of Law No. 20–60, of December 16, 1960.

Any mention in the sales contract for an aircraft that all or part of the price remains to be paid to the seller, shall, without a contrary stipulation, constitute a mortgage for him as guarantee for the amount stated as remaining to be paid, provided the seller requests recordation of such mortgage in the form provided for by decree.

An aircraft under construction may be mortgaged only when prior notice has been given to the agency in charge of the register. Such notice shall include the principal characteristics of the aircraft under construction: a receipt therefor shall be issued.

Art. 16. In the case of loss or crash of an aircraft, the mortgagee may, unless there is a contrary stipulation, be subrogated for the insured for the amount due him as to the right to compensation payable by the insurer.

Prior to making any payment the insurer must request an official statement of recorded mortgages. No payment shall discharge him if it is made in disregard of the rights of creditors listed on such statement.

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[5] The French text reads "4". This is obviously in error. Ed.