

Art. 759. (Loss of Nationality requirements in cases of succession and of adjudication.) When a national aircraft becomes the property of a foreigner by inheritance, the heir or legatee, within eight days from the acceptance of the inheritance or the acquisition of the legacy, must notify the authority indicated in the preceding article of such fact. The authority shall proceed in accordance with the rules of the second, third and fourth paragraphs of this article.

The same rules shall apply in the case of adjudication of an aircraft the period for notification shall run from the day of the adjudication.

Art. 760. (Dismantling of an aircraft.) The owner who intends to dismantle an aircraft, must notify the Minister of Aeronautics if the aircraft is in the Kingdom, or the consular authority if it is abroad, and surrender the documents and the logbook. The aforementioned authority shall proceed in accordance with the second paragraph of Article 758.

If within sixty days from the publication, objections have been made by creditors, or if rights and sureties on the aircraft are revealed such authorization may be given only after the objections have been registered by final court decision, or the creditors have been satisfied or the rights extinguished, or, otherwise, the owner has complied with the procedures prescribed by the air authorities for any amounts due to the administration, and by the court, on the demand of a party using due care to safeguard the interests of the creditors.

However, dismantling may be authorized immediately when it is necessary for reasons of urgency ascertained by the Italian Aviation register in the Kingdom and by the consular authorities abroad.

The rules of the preceding paragraph shall not apply to gliders.

Art. 761. (Presumed loss.) When three months have elapsed since the day of the last communication, an aircraft shall be presumed to have been lost on the day following the one on which the last communication was received.

Art. 762. (Cancellation of an aircraft from the Register.) An aircraft shall be cancelled in the register when :

- a) it is lost or presumed lost ;
- b) it has been dismantled ;
- c) it has lost its nationality requirements as specified in Article 751 ;
- d) it has been registered in a foreign register.

The cancellation of an aircraft must be requested by the owner, or it may be made *ex officio*.

With the act of cancellation the authority shall also withdraw the flight certificate or the test certificate.

CHAPTER III. AIRWORTHINESS OF AN AIRCRAFT

Art. 763. (Conditions of airworthiness.) In order to fly, an aircraft must be airworthy, properly equipped, and prepared for the tasks for which it is intended.

Art. 764. (Certificate of airworthiness and test certificate.) The fitness of an aircraft for flights shall be attested by a certificate of airworthiness, or, for gliders, by a test certificate.

The airworthiness certificate attests to the technical fitness of the aircraft for a specified employment or service, and to its assignment to one