

BOOK TWO—OWNERSHIP AND OPERATION OF AIRCRAFT

TITLE ONE—CONSTRUCTION OF AIRCRAFT

Art. 848. (Declaration of construction.) A person undertaking the construction of the aircraft must first notify the Air Minister and specify the factory in which the fuselage and the engines will be built.

Such declaration shall be noted in the construction registry kept by the Air Ministry.

Art. 849. (Notification of construction to the Italian Air Registry.) In addition to the declaration mentioned in the preceding article, the builder, must notify the Italian Air Registry within ten days from the beginning of the work of the construction of aircraft and describe the proposed undertaking. Notice also must be given with regard to alterations and repairs to be made on the aircraft, prior to making them.

Art. 850. (Technical control over construction.) The Italian Air Registry exercises technical control over such construction within the limits, and according to the rules established by the laws and regulations.

Art. 851. (Suspension of construction on order of the authorities.) The Minister of Aeronautics may at any time order the suspension of construction if the declaration or notification provided for in Articles 848 and 849 has not been made. . He may also order the suspension of a construction which is under the direction of a person who lacks the required qualifications, or which, in the opinion of the Italian Air Register, is not being carried on in accordance with good technical practice or in regard to which the regulations have not been observed.

Art. 852. (Form of construction contracts.) A construction contract for an aircraft, subsequent modifications and rescission must be in writing in order to be valid.

Art. 853. (Publicity of construction contracts.) Construction contracts for an aircraft must be made public by being recorded in the construction registry. Otherwise, the aircraft shall be deemed as being constructed on behalf of the constructor himself, until otherwise proved.

After the recordation has been made, changes and rescission of the contract shall have no effect in regard to third parties who, under whatever title, have acquired and retained rights in the aircraft under construction, unless they are recorded in the above-mentioned register.

Art. 854. (Form of the title, documents to be delivered and execution of the registration transcription.) In regard to the form of the title to be transcribed, the provision of Article 867, first paragraph, shall apply.

In regard to the documents to be delivered to the office and the execution of the transcription in the construction register Articles 253 and 870 shall apply.

Art. 855. (Liability of the constructor.) An action for damages against a constructor for defects and hidden flaws must be brought within two years from the delivery of the work.

A purchaser who has been made defendant for payments may claim the right to invoke the warranty provided that within the above mentioned time limits he has objected to the defects and the hidden flaws.