

case the publicity is requested by the Ministry of Aeronautics and such presentation is not possible because the aircraft is elsewhere, the second paragraph of Article 869 shall apply.

Art. 1033. (Publicity procedure and execution.) The publicity must be carried out by the competent office in the manner provided in Art. 870.

Art. 1034. (Order of precedence and prevalence of registrations.) For publicity given to various proceedings in accordance with the preceding articles, as well as in case of discrepancy of the transcription on the register and annotations on the certificate of matriculation, Art. 871 shall apply.

Art. 1035. (Effect of mortgage.) A mortgage is operative from the time when it is recorded in the register of the aircraft.

Art. (1036). (Rank of mortgages in regard to privileges.) A mortgage shall rank after the privileges indicated in Article 1023; however, it shall be preferred to any other general or special privilege.

Art. 1037. (Referral to other applicable provisions.) For any matter not provided for in this Chapter, Articles 572, 573, 576 and 577 shall apply.

SECOND PART—AERIAL NAVIGATION

BOOK FOUR—PROCEDURE

TITLE ONE—JURISDICTION

Art. 1038. (Claim for compensation for aid or salvage.) A claim for compensation or payment for aid or salvage may also be brought before the court which authorized the attachment of an aircraft or the cargo thereof, to the extent of his jurisdiction.

Art. 1039. (Claim for damages to third persons on the ground or for damages caused by a collision.) A claim for reimbursement of damages to third persons on the ground or for damages caused by a collision may also be brought before the court which authorized the attachment of an aircraft or the cargo thereof, to the extent of his jurisdiction.

Art. 1040. (Plea to decline jurisdiction for joinder.) When several actions have been brought before different courts against the carrier, the operator, or the insurer on the basis of the same transportation contract, or the same act of aid, or the same collision of aircraft, or the same event which gave rise to damages to third persons on the ground, the court shall under judgment joining the parties a period of time for bringing their claim before the court which has jurisdiction in the venue of the domicile of the defendant or, in its absence, the court which first acquired jurisdiction.

The second paragraph of Article 40 of the Code of Civil Procedure shall apply.

TITLE TWO—APPLICATION OF LIMITATION OF LIABILITY OF THE OPERATOR

Art. 1041. (Court of jurisdiction.) An action on limitation shall be brought before the court of the venue in which the domicile of the defendant is located.