

privileges. However, in the case of sale in Niger of an aircraft mortgaged in a State, party to the international convention for the recognition of rights in aircraft, signed at Geneva on June 19, 1948, the rights provided for in Article 1 of that convention which exist on the aircraft may be exercised only in recognition of the rights of the persons who suffered damages on the ground as provided for in Article 7 of that convention.

*Art. 28.* Except in the case of judicial sale in the manner provided for by decree, the registration of a aircraft may not be transferred to another State except by prior extinction of recorded rights or with the consent of the persons entitled thereto.

Until this condition has been fulfilled, the official in charge of the register must refuse any cancellation.

*Art. 29.* When there is attachment of an aircraft registered in a State party to the convention for the recognition of rights in aircraft, signed at Geneva on June 19, 1948, no judicial sale may be had when the rights that have preference over those of the attaching creditor cannot be satisfied by the sale price or when they are not assumed by the vendee.

However, when a mortgaged aircraft causes damages to third persons on the ground within Niger, the provisions of the preceding paragraph may not be invoked against such persons or their representatives in attaching the aircraft which caused the damages or another aircraft of the same owner.

*Art. 30.* Without thereby affecting more serious penalties, if they are in order, any act of destruction or removal, or attempt of destruction or removal, of aircraft or spare parts on which a mortgage has been properly recorded, shall be punished by the penalties provided for in Article 338 of the Criminal Code.

Any fraudulent act intended to deprive a creditor of his security shall be subject to the same penalties.

*Art. 31.* Nigerian aircraft, and when there is reciprocity foreign aircraft, shall be exempt from attachment under the conditions specified in the convention for the unification of certain rules on attachment of aircraft, signed in Rome on May 29, 1933, or in any convention amending it which is applicable in Niger.

*Art. 32.* In the case of attachment for infringement of a patent, design or model, the owner of a foreign aircraft or his representative may have the attachment lifted by deposit of a bond the amount of which, in the absence of a friendly agreement, shall be set within the shortest possible time by the president of the trial court at the place of the attachment.

There shall be exempt from attachment the aircraft of public airlines and spare parts and accessories indispensable in their operation provided that, in the case of foreign aircraft, they lawfully entered Nigerian territory and that there is reciprocity.

*Art. 33.* When the owner of an aircraft is not domiciled in Niger, or when the aircraft has foreign nationality, any creditor shall have the right to attach the aircraft with the permission of the president of the trial court at the place where the aircraft has landed.

The respective judge shall lift the attachment when the owner offers to deposit a bond equal to the amount of the debt claimed and