

§ 47.37 Aircraft last previously registered in a foreign country.

(a) A person who is the owner of an aircraft last previously registered under the law of a foreign country may register it under this part if the owner—

(1) Complies with §§ 47.3, 47.7, 47.8, 47.9, 47.11, 47.13, 47.15, and 47.17, as applicable;

(2) Submits with his application a bill of sale from the foreign seller or other evidence satisfactory to the FAA that he owns the aircraft; and

(3) Submits evidence satisfactory to the FAA that—

(i) If the country in which the aircraft was registered has not ratified the Convention on the International Recognition of Rights in Aircraft (4 U.S.T. 1830), (the Geneva Convention), or the Convention on International Interests in Mobile Equipment, as modified by the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment (the Cape Town Treaty), the foreign registration has ended or is invalid; or

(ii) If that country has ratified the Geneva Convention, but has not ratified the Cape Town Treaty, the foreign registration has ended or is invalid, and each holder of a recorded right against the aircraft has been satisfied or has consented to the transfer, or ownership in the country of export has been ended by a sale in execution under the terms of the Geneva Convention; or

(iii) If that country has ratified the Cape Town Treaty and the aircraft is subject to the Treaty, that the foreign registration has ended or is invalid, and that all interests ranking in priority have been discharged or that the holders of such interests have consented to the deregistration and export of the aircraft.

(iv) Nothing under (a)(3)(iii) affects rights established prior to the Treaty entering into force with respect to the country in which the aircraft was registered.

(b) For the purposes of paragraph (a)(3) of this section, satisfactory evidence of termination of the foreign registration may be—

(1) A statement, by the official having jurisdiction over the national air-

craft registry of the foreign country, that the registration has ended or is invalid, and showing the official's name and title and describing the aircraft by make, model, and serial number; or

(2) A final judgment or decree of a court of competent jurisdiction of the foreign country, determining that, under the laws of that country, the registration has become invalid.

[Doc. No. 7190, 31 FR 4495, Mar. 17, 1966, as amended by Amdt. 47-20, 44 FR 61940, Oct. 29, 1979; Amdt. 47-26, 68 FR 10317, Mar. 4, 2003; Amdt. 47-27, 70 FR 245, Jan. 3, 2005]

§ 47.39 Effective date of registration.

(a) Except for an aircraft last previously registered in a foreign country, an aircraft is registered under this subpart on the date and at the time the FAA Aircraft Registry receives the documents required by § 47.33 or § 47.35.

(b) An aircraft last previously registered in a foreign country is registered under this subpart on the date and at the time the FAA Aircraft Registry issues the Certificate of Aircraft Registration, AC Form 8050-3, after the documents required by § 47.37 have been received and examined.

[Doc. No. 7190, 31 FR 4495, Mar. 17, 1966, as amended by Amdt. 47-16, 37 FR 25487, Dec. 1, 1972]

§ 47.41 Duration and return of Certificate.

(a) Each Certificate of Aircraft Registration issued by the FAA under this subpart is effective, unless suspended or revoked, until the date upon which—

(1) Subject to the Convention on the International Recognition of Rights in Aircraft when applicable, the aircraft is registered under the laws of a foreign country;

(2) The registration is canceled at the written request of the holder of the certificate;

(3) The aircraft is totally destroyed or scrapped;

(4) Ownership of the aircraft is transferred;

(5) The holder of the certificate loses his U.S. citizenship;

(6) 30 days have elapsed since the death of the holder of the certificate;

(7) The owner, if an individual who is not a citizen of the United States, loses status as a resident alien, unless that

§ 47.43

person becomes a citizen of the United States at the same time; or

(8) If the owner is a corporation other than a corporation which is a citizen of the United States—

(i) The corporation ceases to be lawfully organized and doing business under the laws of the United States or any State thereof; or

(ii) A period described in § 47.9(b) ends and the aircraft was not based and primarily used in the United States during that period.

(9) If the trustee in whose name the aircraft is registered—

(i) Loses U.S. citizenship;

(ii) Loses status as a resident alien and does not become a citizen of the United States at the same time; or

(iii) In any manner ceases to act as trustee and is not immediately replaced by another who meets the requirements of § 47.7(c).

(b) The Certificate of Aircraft Registration, with the reverse side completed, must be returned to the FAA Aircraft Registry—

(1) In case of registration under the laws of a foreign country, by the person who was the owner of the aircraft before foreign registration;

(2) Within 60 days after the death of the holder of the certificate, by the administrator or executor of his estate, or by his heir-at-law if no administrator or executor has been or is to be appointed; or

(3) Upon the termination of the registration, by the holder of the Certificate of Aircraft Registration in all other cases mentioned in paragraph (a) of this section.

[Doc. No. 7190, 31 FR 4495, Mar. 17, 1966; 31 FR 5483, Apr. 7, 1966, as amended by Amdt. 47-20, 44 FR 61940, Oct. 29, 1979]

§ 47.43 Invalid registration.

(a) The registration of an aircraft is invalid if, at the time it is made—

(1) The aircraft is registered in a foreign country;

(2) The applicant is not the owner;

(3) The applicant is not qualified to submit an application under this part; or

(4) The interest of the applicant in the aircraft was created by a transaction that was not entered into in good faith, but rather was made to

14 CFR Ch. I (1-1-08 Edition)

avoid (with or without the owner's knowledge) compliance with 49 U.S.C. 44101-44104.

(b) If the registration of an aircraft is invalid under paragraph (a) of this section, the holder of the invalid Certificate of Aircraft Registration shall return it as soon as possible to the FAA Aircraft Registry.

[Doc. No. 7190, 31 FR 4495, Mar. 17, 1966; 31 FR 5483, Apr. 7, 1966, as amended by Amdt. 47-20, 44 FR 61940, Oct. 29, 1979; Amdt. 47-27, 70 FR 245, Jan. 3, 2005]

§ 47.45 Change of address.

Within 30 days after any change in his permanent mailing address, the holder of a Certificate of Aircraft Registration for an aircraft shall notify the FAA Aircraft Registry of his new address. A revised Certificate of Aircraft Registration is then issued, without charge.

§ 47.47 Cancellation of Certificate for export purpose.

(a) The holder of a Certificate of Aircraft Registration or the holder of an irrevocable deregistration and export request authorization recognized under the Cape Town Treaty and filed with FAA who wishes to cancel the Certificate for the purpose of export must submit to the FAA Aircraft Registry—

(1) A written request for cancellation of the Certificate describing the aircraft by make, model, and serial number, stating the U.S. identification number and the country to which the aircraft will be exported;

(2)(i) For an aircraft not subject to the Cape Town Treaty, evidence satisfactory to the FAA that each holder of a recorded right has been satisfied or has consented to the transfer; or

(ii) For an aircraft subject to the Cape Town Treaty, evidence satisfactory to the FAA that each holder of a recorded right established prior to the date the Treaty entered into force with respect to the United States has been satisfied or has consented to the transfer; and

(3) A written certification that all registered interests ranking in priority to that of the requestor have been discharged or that the holders of such interests have consented to the cancellation for export purposes.