

**Form CA 47-19 – revised 12 April 2006**

**TO: BANKS AND FINANCIERS DEALING WITH AVIATION FINANCE**

Dear Bank Manager / Financier / Aircraft Dealer or Agent

**CONVENTION ON THE INTERNATIONAL RECOGNITION OF RIGHTS IN AIRCRAFT ACT, 1993 (ACT NO 59 OF 1993) AND MORTGAGING OF AIRCRAFT REGULATIONS, 1997 (MAR's); AVIATION ACT NO 74 OF 1962 and CIVIL AVIATION REGULATIONS, 1997 as amended (CAR's)**

1. The above-mentioned act and regulations which were implemented on 1 January 1998, have reference. Your attention is also drawn to the contents of Government Gazette 6058 dated 12 December 1997 (Vol.390, No. 18534); Government Gazette 6064 dated 24 December 1997 (Vol.390, No. 18562) and Government Gazette 6398 dated 31 December 1998 (Vol.402, No. 19644) in which the aforesaid Regulations, **as well as the relevant fees**, were published.
2. Please note that the prescribed forms published in the said Gazette of 24 December 1998, have been amended, and a set of the new forms are enclosed herewith for your further use. **Kindly note that all the enclosed forms are given to you as masters. Please make your own photocopies for the transactions, and do not fax them to your branches, as the quality thereof become illegible and will not be accepted for registration.** Rather ask them to obtain a new set directly from this office.
3. Kindly also take notice of paragraph 3.7 on both Forms MAR2.1 and MAR 2.2, in terms of which it is compulsory to have the aircraft registered in the name of the mortgagor BEFORE is made for registration of the mortgage. It is suggested that the mortgagee (bank or financier) insists on being furnished with a copy of the Certificate of Registration in the name of the mortgagor first. If the aircraft is not yet registered in the name of the mortgagor, or if the address on the Certificate of Registration differs from the address indicated on the mortgage application, the bank or financier is requested to furnish the aircraft owner/mortgagor with a copy of the Application for Registration of Aircraft, Form CAR47A **also enclosed herewith**, in order to have the *change of ownership or amendment of certificate for change of address* lodged simultaneously with the mortgage application (MAR2.1 or MAR 2.2). In terms of CAR 47.00.8, the mortgagor **must also simultaneously apply** for amendment of the Certificate of Registration in Parts 1, 3 and page 9 of Form CAR47A for *endorsement of the certificate* indicating the mortgage details. Please note that paragraph 3.7 of Forms MAR 2.1 or MAR 2.2 is not applicable when the mortgagor has its principal place of business outside the Republic of South Africa, and for instance, leases the aircraft to a South African operator.
4. Please always **make an appointment** for lodging or collection of documents. You are also requested to study the **Notes on page 1 of each form thoroughly** in order to comply with its requirements before delivery of your documents.
5. Kindly do not hesitate to contact writer with any further enquiries you may have in this regard.

Yours faithfully

for: **COMMISSIONER FOR CIVIL AVIATION**