

CHAPTER 5

Nationality and Ownership of Aircraft

SECTIONS

- § 501. **Registration and ownership of aircraft.**
- § 502. **Registration of engines, propellers, and appliances.**
- § 503. **Recordation of aircraft ownership.**

§ 501. Registration and ownership of aircraft.

(1) *Registration required.* It shall be unlawful for any person to operate or navigate any aircraft eligible for registration if such aircraft is not registered by its owner as provided in this section, or (except as provided in section 1104 of this title) to operate or navigate within the Federated States of Micronesia any aircraft not eligible for registration. The Secretary may, by regulation, permit the operation and navigation of aircraft without registration by the owner for such reasonable periods after transfer of ownership thereof as the Secretary may prescribe.

(2) *Eligibility for registration.* An aircraft shall be eligible for registration if, but only if:

(a) (i) it is:

(A) owned by a citizen of the Federated States of Micronesia or by an individual citizen of another country who has lawfully been admitted for permanent residence in the Federated States of Micronesia; or

(B) owned by a corporation (other than a corporation that is a citizen of the Federated States of Micronesia) lawfully organized and doing business under the laws of the Federated States of Micronesia, so long as such aircraft is based and primarily used in the Federated States of Micronesia; and

(ii) it is not registered under the laws of any other country; or

(b) it is an aircraft of the National Government, or of a state of the Federated States of Micronesia or political subdivision thereof. For purposes of this subsection, the Secretary shall, by regulation, define the term, based and primarily used in the Federated States of Micronesia.

(3) *Issuance of certificate.* Upon request of the owner of any aircraft eligible for registration, such aircraft shall be registered by the Secretary who shall issue to the owner thereof a certificate of registration.

(4) *Applications.* Applications for such certificates shall be in such form, be filed in such manner, and contain such information as the Secretary may require.

(5) *Suspension or revocation.*

(a) Any such certificate may be suspended or revoked by the Secretary for any cause that renders the aircraft ineligible for registration.

(b) The Secretary may suspend or revoke the registration of any aircraft used in the violation of any

laws of the Federated States of Micronesia.

(6) *Effect of registration.* Such certificate shall be conclusive evidence of nationality for international purposes. Registration shall not be evidence of ownership of aircraft in any proceeding in which such ownership by a particular person is, or may be, in issue.

(7) *Inspection by law enforcement officers.* The operator of an aircraft shall make available for inspection an aircraft's certificate of registration upon request by any law enforcement officer.

Source: PL 9-138 § 37.

Cross-reference: The statutory provisions on the President and the Executive are found in title 2 of this code.

§ 502. Registration of engines, propellers, and appliances.

The Secretary may establish reasonable rules and regulations for registration and identification of aircraft engines, propellers, and appliances, in the interest of safety, and no aircraft engine, propeller, or appliance shall be used in violation of any such rule or regulation.

Source: PL 9-138 § 38.

Cross-reference: The statutory provisions on the President and the Executive are found in title 2 of this code. The statutory provisions on Administrative Procedure are found in title 17 of this code.

§ 503. Recordation of aircraft ownership.

(1) *Establishment of recording system.* The Secretary shall establish and maintain a system for the recording of any conveyance that affects the title to, or any interest in, any civil aircraft of the Federated States of Micronesia.

(2) *Recordation of security interests.* The Secretary may establish and maintain a system for the recording of any lease, and any mortgage, equipment trust, contract of conditional sale, or other instrument executed for security purposes, which lease or other instrument affects the title to, or any interest in, any specifically identified aircraft engine or engines or any specifically identified aircraft propeller, and also any assignment or amendment thereof or supplement thereto.

(3) *Recording of releases.* The Secretary shall also record under the system provided for in subsection (1) of this section any release, cancellation, discharge, or satisfaction relating to any conveyance or other instrument recorded under said system.

Source: PL 9-138 § 39.

Cross-reference: The statutory provisions on the President and the Executive are found in title 2 of this code.