DIPLOMATIC CONFERENCE TO ADOPT A MOBILE EQUIPMENT CONVENTION AND AN AIRCRAFT PROTOCOL

(Cape Town, 29 October to 16 November 2001)

PROPOSAL CONCERNING CONTINUATION OF EXAMINATION OF MATTERS RELATING TO ESTABLISHMENT OF THE INTERNATIONAL REGISTRY

(Presented by France and the United States)

1. INTRODUCTION

The International Registry Task Force, as established at the Third Joint Session in Rome from 20 to 31 March 2000, has, in accordance with its terms of reference, reported to the Secretariats of ICAO and UNIDROIT.

Previous work is deemed completed with the exception of the regulations of the International Registry which are an on-going project.

Nevertheless, there are outstanding and important issues relating to the linkage between registration authorities (national registries) and the International Registry.

Examples of issues common to registration authorities are:

a) substantive and procedural matters concerning registration authorities as designated points of entry to the International Registry;

b) how registration authorities will treat prospective international interests;

c) consideration with respect to non-consensual interests under Articles 38 and 39 of the Convention; and

d) cancellation of aircraft registration based on requests by authorized persons.

RECOMMENDATION

It would be desirable that, as soon as possible, this Conference give consideration to the creation of an International Registry Advisory Group (IRAG) to give support and advice to the Sup ervisory Authority under the following terms of reference:
a) further work on draft regulations for the International Registry;

b) examination and reporting about issues common to registration authorities as described in paragraph 1.4 above with a view to facilitating prompt and successful establishment of the International Registry; and

c) work on such other matters relating to the International Registry as the Supervisory Authority may request with a view to insuring the establishment of the International Registry when the Convention and Protocol enter into force.

The above recommendation assumes that the costs of the functioning of the IRAG will not be borne by the Supervisory Authority.