



**INSTRUMENT OF ACCESSION BY MALAYSIA
TO THE CONVENTION ON INTERNATIONAL INTERESTS
IN MOBILE EQUIPMENT**

WHEREAS, the Convention on International Interests in Mobile Equipment (hereinafter referred to as "the Convention") was concluded in and opened for signature on the Sixteenth day of November in the Year Two Thousand and Two at Cape Town;

AND WHEREAS, Article 47(3) of the Convention provides that any State that does not sign the Convention may accede to it at any time;

NOW THEREFORE, the Government of Malaysia, having considered the Agreement, hereby confirms and accedes to the same and undertakes faithfully to perform and carry out all the stipulations therein contained;

AND FURTHER, pursuant to the relevant provisions of the Convention, the Government of Malaysia makes the declarations contained in the Annex to this Instrument of Accession and undertakes to abide faithfully by all the provisions contained in the Convention in the manner and to the extent specified in such declarations.

IN WITNESS WHEREOF, this Instrument of Accession is signed and sealed by the Minister of Foreign Affairs, Malaysia.

DONE at Putrajaya this *31st* day of *October* in the year Two Thousand and Five.

SALINAN DIAKUI SAM

**CHANDRASEKARAN. P
ETIAUSAHA BAHAGIAN (UDARA)
SEMENTERIAN PENGANGKUTAN
MALAYSIA**

**(SYED HAMID ALBAR)
Minister of Foreign Affairs,
Malaysia**



Annex

**Form No. 1
(specific opt-in declarations under Article 39(1)(a))**

Malaysia declares that the following categories of non-consensual right or interest have priority under its laws over an interest in an aircraft object equivalent to that of the holder of a registered international interest and shall have priority over a registered international interest, whether in or outside insolvency proceedings:

- a. liens in favour of airline employees for unpaid wages arising since the time of a declared default by that airline under a contract to finance or lease an aircraft object;
- b. liens or other rights of an authority of Malaysia relating to taxes or other unpaid charges arising from or related to the use of that aircraft object and owed by the owner or operator of that aircraft object, and arising since the time of a default by that owner or operator under a contract to finance or lease that aircraft object; and,
- c. liens in favour of repairers of an aircraft object in their possession to the extent of service or services performed on and value added to that aircraft object.

SALINAN DIAKUI SAK



**CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA**



Form No. 4
(general opt-in declarations under Article 39(1)(b))

Malaysia declares that nothing in the Convention shall affect its right or that of any entity thereof, or any intergovernmental organisation in which Malaysia is a member, or other private provider of public services in Malaysia, to arrest or detain an aircraft object under its laws for payment of amounts owed to the Government of Malaysia, any such entity, organisation or provider directly relating to the service or services provided by it in respect of that or another aircraft object.

SALINAN DIAKUI SAH



CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA



Form No. 6
(opt-in declarations under Article 40)

Malaysia declares that the following categories of non-consensual right or interest shall be registrable under the Convention as regards any category of aircraft object as if the right or interest were an international interest and shall be regulated accordingly:

- a. liens in favour of airline employees for unpaid wages arising prior to the time of a declared default by that airline under a contract to finance or lease an aircraft object;
- b. liens or other rights of an authority of Malaysia relating to taxes or other unpaid charges arising from or related to the use of an aircraft object and owed by the owner or operator of that aircraft object, and arising prior to the time of a declared default by that owner or operator under a contract to finance or lease that aircraft object; and,
- c. rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment.

SALINAN DIAKUI SAM



CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA



**Form No. 11
(declarations under Article 53)**

Malaysia declares that all courts with competent jurisdiction under the laws of Malaysia are the relevant courts for the purposes of Article 1 and Chapter XII of the Convention.

SALINAN DIAKUI SAM



**CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA**



Form No. 13
(mandatory declaration under Article 54(2))

Malaysia declares that any and all remedies available to the creditor under the Convention which are not expressed under the relevant provision thereof to require application to the court may be exercised without court action and without leave of the court.

SALINAN DIAKUI SAM



CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA





**INSTRUMENT OF ACCESSION BY MALAYSIA TO THE PROTOCOL TO THE
CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE EQUIPMENT
ON MATTERS SPECIFIC TO AIRCRAFT EQUIPMENT**

WHEREAS, the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment (hereinafter referred to as "the Aircraft Protocol") was concluded in and opened for signature on the Sixteenth day of November, in the year of Two Thousand and One in Cape Town;

AND WHEREAS, Article XXVI (3) of the Aircraft Protocol provides that any State that does not sign the Aircraft Protocol may accede to it at any time;

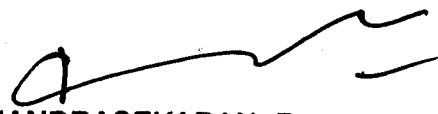
NOW THEREFORE, the Government of Malaysia, having considered the Agreement, hereby confirms and accedes to the same and undertakes faithfully to perform and carry out all the stipulations therein contained;

AND FURTHER, pursuant to the relevant provisions of the Aircraft Protocol, the Government Malaysia makes the declarations contained in the Annex to this Instrument of Accession and undertakes to abide faithfully by all the provisions contained in the Aircraft Protocol in the manner and to the extent specified in such declarations.

IN WITNESS WHEREOF, this Instrument of Accession is signed and sealed by the Minister of Foreign Affairs, Malaysia.

Done at Putrajaya, this *31st* day of *October* in the year Two Thousand and Five.

SALINAN DIAKUI SAH


CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA




HAMID ALBAR)
Minister of Foreign Affairs,
Malaysia

Annex

**Form No.19
(opt-in declaration under Article XXX(1) in respect of Article VIII)**

Malaysia declares that it shall apply Article VIII.

SALINAN DIAKUI SAH


**CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA**



Form No.26
(opt-in declaration under Article XXX(1) in respect of Article XII)

Malaysia declares that it shall apply Article XII.

SALINAN DIAKUI SAM



CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA



Form No.27
(opt-in declaration under Article XXX(1) in respect of Article XIII)

Malaysia declares that it shall apply Article XIII.

SALINAN DIAKUI SAH



CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA



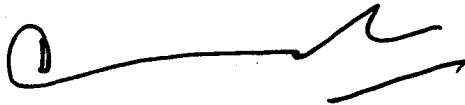
Form No. 21

(opt-in declarations under Article XXX(2) in respect of Article X providing for the application of the entirety of Article X)

Malaysia declares that it shall apply Article X of the Protocol in its entirety and that the number of working days to be used for the purposes of the time limit laid down in Article X(2) of the Protocol shall be no more than:

- a. ten (10) working days in respect of the remedies specified in Article 13(1)(a), (b) and (c) of the Convention (respectively, preservation of aircraft objects and their value; possession, control or custody of aircraft objects; and, immobilisation of aircraft objects); and,
- b. thirty (30) working days in respect of the remedies specified in Article 13(1)(d) and (e) of the Convention (respectively, lease or management of aircraft objects and the income thereof; and, sale and application of proceeds from aircraft objects).

SALINAN DIAKUI SAH



CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA



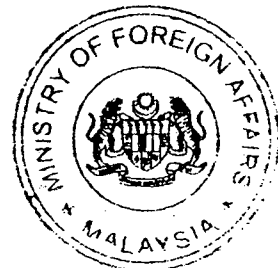
Form No. 23
(general opt-in declarations under Article XXX(3) in respect of Article XI
providing for the application of Alternative A in its entirety to all types of
insolvency proceedings)

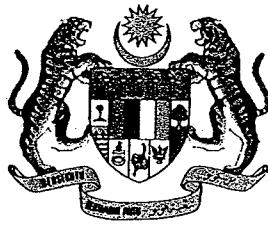
Malaysia declares that it shall apply Article XI, Alternative A, of the Protocol in its entirety to all types of insolvency proceedings, and that the waiting period for the purposes of Article XI(3) of that Alternative shall be sixty (60) working days.

SALINAN DIAKUI SAM

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CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA





**Instrument of Declaration by Malaysia
Under the Protocol
to the Convention on International Interests in Mobile Equipment on
Matters Specific to Aircraft Equipment**

WHEREAS the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment (hereinafter referred to as "the Aircraft Protocol") was concluded in and opened for signature at Cape Town on 16 November 2001;

WHEREAS pursuant to Article XXVI (3) of the Aircraft Protocol, the Government of Malaysia acceded to the Aircraft Protocol on 2 November 2005;

WHEREAS pursuant to the relevant provisions of the Aircraft Protocol, the Government of Malaysia made a number of declarations including a declaration under Article XXX (3) with respect to Article XI of that Protocol;

WHEREAS the Government of Malaysia wishes to withdraw the said declaration under Article XXX (3) of the Aircraft Protocol and to make the declaration contained in the Annex to this Instrument of Declaration.

SALINAN DIAKUI SAM

**CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA**

ANNEX

Form No. 23

**(general opt-in declarations under Article XXX (3) in respect of Article XI
providing for the application of Alternative A in its entirety to all types
of insolvency proceedings)**

Malaysia declares that it shall apply Article XI, Alternative A, of the Protocol in its entirety to all types of insolvency proceedings, and that the waiting period for the purposes of Article XI (3) of that Alternative shall be forty (40) working days.

SALINAN DIAKUI SAH



**CHANDRASEKARAN. P
SETIAUSAHA BAHAGIAN (UDARA)
KEMENTERIAN PENGANGKUTAN
MALAYSIA**