

DECLARATIONS

LODGED BY THE GOVERNMENT OF MALTA UNDER THE CAPE TOWN CONVENTION AT THE TIME OF THE DEPOSIT OF ITS INSTRUMENT OF ACCESSION IN RESPECT THEREOF

(1) Pursuant to subarticle 1(a) of Article 39 of the Convention, it is declared that the following categories of non-consensual right or interest;

1. Judicial costs incurred in respect of the sale of the aircraft and the distribution of the proceeds thereof pursuant to the enforcement of any mortgage or other executive title;
2. Fees and other charges due to the Director General arising under applicable law of Malta in respect of the aircraft;
3. Wages due to crew in respect of their employment on the aircraft;
4. Any debt due to the holder of a possessory lien for the repair, preservation of the aircraft to the extent of the service performed on and value added to the aircraft;
5. The expenses incurred for the repair, preservation of the aircraft to the extent of the service performed on and value added to the aircraft; and
6. Wages and expenses for salvage in respect of the aircraft,

have priority under the laws of Malta over an interest in an object equivalent to that of the holder of certain registered international interests and shall have priority over such registered international interests whether in or outside insolvency.

(2) Pursuant to subarticle 4 of Article 39 of the Convention, it is declared that all categories of non-consensual rights or interests which under Maltese law constitute a special privilege on aircraft shall have priority over an international interest registered prior to the date of its deposit of its instrument of accession.

(3) Pursuant to Article 40 of the Convention, it is declared that the following categories of non-consensual right or interest;

1. taxes, duties and/or levies due to the Government of Malta in respect of the aircraft; and
2. wages and expenses for assistance or recovery in respect of the aircraft,

shall be registrable under the Convention as regards aircraft objects as if the right or interest were an international interest and shall be regulated accordingly.

(4) Pursuant to Article 53 of the Convention, it is declared that the First Hall of the Civil Court is the relevant court for the purposes of Article 1 and Chapter XII of the Convention.

(5) Pursuant to subarticle 2 of Article 54 of the Convention, it is declared that all remedies available to the creditor under the Convention or Protocol which are not expressed under the provision thereof to require application to the court, may be exercised without leave of the court or other court action.

DECLARATION

**LODGED BY THE GOVERNMENT OF MALTA UNDER THE AIRCRAFT PROTOCOL
AT THE TIME OF THE DEPOSIT OF ITS INSTRUMENT OF ACCESSION IN RESPECT
THEREOF**

(1) Pursuant to subarticle 1 of Article XXX of the Aircraft Protocol, it is declared that Article XIII of that Protocol applies to and in respect of Malta.