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

(Cape Town, 29 October to 16 November 2001)

PROPOSALS REGARDING THE DRAFT CONVENTION AND THE DRAFT PROTOCOL

(Presented by Sweden on behalf of _____ the Informal Group on
Jurisdiction Issues)

Article 41

Add to the end of the Article:

“Such an agreement shall be in writing or otherwise concluded in accordance with the formal requirements of the law of the forum.”

Article 53

A Contracting State may declare at the time of signature, ratification, acceptance, approval of, or accession to the Protocol that it will not apply the provisions of Article 12 and/or 42, wholly or in part. The declaration shall specify under which conditions the relevant Article will be applied, in case it will be applied partly, or otherwise which other forms of interim relief that will be applied.

Article 44 *bis* (new)

The provisions of this Chapter are not applicable to insolvency proceedings.

Article XXVIII

Add as a new paragraph of the Article:

5. – A Contracting State may declare at the time of signature, ratification, acceptance, approval of, or accession to the Protocol that it will not apply the provisions of Article XX, wholly or in part. The declaration shall specify under which conditions the relevant Article will be applied, in case it will be applied partly, or otherwise which other forms of interim relief that will be applied.

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