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**DIPLOMATIC CONFERENCE FOR THE ADOPTION
OF THE DRAFT PROTOCOL TO THE CONVENTION
ON INTERNATIONAL INTERESTS IN MOBILE
EQUIPMENT ON MATTERS SPECIFIC TO
MINING, AGRICULTURAL AND CONSTRUCTION
EQUIPMENT (THE "MAC PROTOCOL")**

Pretoria, 11-22 November 2019

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DRAFT FINAL ACT

**of the diplomatic Conference for the adoption of the draft Protocol
to the Convention on International Interests in Mobile Equipment
on Matters specific to Mining, Agricultural and Construction Equipment
held at the invitation of the Government of the Republic of South Africa and under
the auspices of the International Institute for the Unification of Private Law (UNIDROIT)
in Pretoria from 11 to 22 November 2019**

(presented by the UNIDROIT Secretariat)

The Plenipotentiaries at the diplomatic Conference for the adoption of the draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment, met in Pretoria, at the invitation of the Government of the Republic of South Africa and under the auspices of the International Institute for the Unification of Private Law (UNIDROIT), from 11 to 22 November 2019 for the purpose of considering the *draft Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment*, prepared by a UNIDROIT Committee of governmental experts.

Representatives of the Governments of 41 States participated in the Conference.

The representatives of the Governments of the following 33 States presented credentials in due and proper form:

Australia	Finland, the Republic of
Benin, the Republic of	French Republic, the
Brazil, the Federative Republic of	Gambia, the Republic of the
Canada	Germany, the Federal Republic of
Chile, the Republic of	Ghana, the Republic of
China, the People's Republic of	Hellenic Republic, the
Congo, the Republic of the	Holy See
Côte d'Ivoire, the Republic of	Ireland
Democratic Republic of the Congo,	Italy, the Republic of
the	Japan

Mexico (the United Mexican States)	Syrian Arab Republic, the
Namibia, the Republic of	Turkey, the Republic of
Paraguay, the Republic of	United Kingdom of Great Britain and
Poland, the Republic of	Northern Ireland, the
Republic of Korea, the	United States of America, the
South Africa, the Republic of	Uruguay, the Eastern Republic of
Spain, the Kingdom of	Uzbekistan
Sri Lanka, the Democratic Socialist Republic of	

The following eight States also participated in the Conference:

Argentine Republic, the	Pakistan, the Islamic Republic of
Cameroon, the Republic of	Russian Federation, the
Egypt, the Arab Republic of	Switzerland, Swiss Confederation
Indonesia, the Republic of	United Arab Emirates, the

The European Union also participated in the Conference.

The following three intergovernmental Organisations were represented by observers:

Intergovernmental Organisation for International Carriage By Rail (OTIF)
World Bank Group
World Customs Organization (WCO)

The following four international non-governmental Organisations were represented by observers:

Aviation Working Group (AWG)
MAC Working Group
Rail Working Group (RWG)
Kozolchyk National Law Center (NatLaw)

The following technical adviser participated in the Conference:

Aviareto, Registrar of the International Registry under the Aircraft Protocol

The Conference unanimously elected as President Ms Sandea de Wet (South Africa) and further unanimously elected as Vice-Presidents:

H.E. Ms Ana Luisa Fajer (Mexico)
Mr Pierre Oba (Republic of Congo)
H.E. Mr Cèsar Eneas Rodríguez Zavalla (Uruguay)
Mr Yun Ye (People's Republic of China)
Mr Marvin Yuen (Germany).

The Secretariat of the Conference was as follows:

Secretary General – Mr Ignacio Tirado, Secretary-General of UNIDROIT
Executive Secretary – Mr William Brydie-Watson, Senior Legal Officer of UNIDROIT
Deputy Secretary – Ms Anna Veneziano, Deputy Secretary-General of UNIDROIT

Deputy Secretary – Ms Marina Schneider, Principal Legal Officer &
Treaty Depositary of UNIDROIT
Assistant Secretary – Mr Hamza Hameed, Legal Consultant of UNIDROIT

Other members of the UNIDROIT Secretariat also provided services to the Conference.

The Conference established a Commission of the Whole, which was chaired by Mr Dominique D’Allaire (Canada) and to which Sir Roy Goode (United Kingdom) acted as *Rapporteur*, and the following Committees:

Credentials Committee

Chairperson: Mr Koffi Rodrigue N’Guessan (Côte d’Ivoire)

Members: Australia
Brazil
Côte d’Ivoire
Japan
Spain

Adviser: South Africa

Drafting Committee

Co-Chairpersons M. Jean-François Riffard (France) / Mr Charles W. Mooney (United States of America)

Members: Australia
Canada
France
Germany
Japan
Spain
United Kingdom
United States of America

Final Clauses Committee

Co-Chairpersons: Mr Thembile Joyini (South Africa) / Reverend Mark Winton Smith (United Kingdom)

Members: Argentina
Australia
Brazil
Canada
China
Germany
Ghana
Japan
Mexico
Paraguay
South Africa
Spain

Syrian Arab Republic
 United Kingdom
 United States of America
 Uruguay
 Uzbekistan

Observers: Kozolchik National Law Center (Natlaw)
 World Bank Group
 World Customs Organisation (WCO)

Working Group on HS Codes

Chairperson: Mr Ole Böger (Germany)

Members: Australia
 China
 Germany
 Indonesia
 Japan
 Poland
 Republic of Congo
 South Africa
 United Kingdom
 United States of America
 Uzbekistan

Observers: Kozolchik National Law Center (NatLaw)
 MAC Working Group
 World Bank Group
 World Customs Organization (WCO)

Following its deliberations, the Conference adopted the text of the *MAC Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Mining, Agricultural and Construction Equipment*.

The said Protocol has been opened for signature in Pretoria this day.

The texts of the said Protocol and the Resolutions adopted by the Conference are subject to verification by the Secretariat of the Conference under the authority of the President of the Conference within a period of ninety days from the date hereof as to the linguistic changes required to make the texts in the different languages consistent with one another.

The Conference furthermore adopted by consensus the following Resolutions, which are set out in [an] appendi[x] [ces] to this Final Act.

IN WITNESS WHEREOF the representatives,

HAVE SIGNED this Final Act.

DONE at Pretoria, this twenty-second day of November two thousand and nineteen in a single copy in the English and French languages, each text being equally authentic.

ANNEX I

**PROTOCOL TO THE CONVENTION ON INTERNATIONAL INTERESTS IN MOBILE
EQUIPMENT ON MATTERS SPECIFIC TO MINING, AGRICULTURAL AND CONSTRUCTION
EQUIPMENT**

ANNEX II

RESOLUTION 1
