

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2010 Nr. 205

A. TITEL²⁾

*Verdrag inzake internationale zakelijke rechten op mobiel materieel;
Protocol bij het Verdrag inzake internationale zakelijke rechten op
mobiel materieel betreffende voor luchtvaartuigmaterieel specifieke
aangelegenheden;
(met Bijlage)
Kaapstad, 16 november 2001*

B. TEKST

De Engelse en de Franse tekst van het Verdrag, met Protocol, met Bijlage, zijn geplaatst in *Trb.* 2009, 86.

C. VERTALING

Zie *Trb.* 2009, 86.

D. PARLEMENT

Bij brieven van 27 november 2009 (Kamerstukken II 2009/2010, 32227 (R1904), nr. 1) zijn het Verdrag en het Protocol, met Bijlage, in overeenstemming met artikel 2, eerste en tweede lid, en artikel 5, eerste en tweede lid, van de Rijkswet goedkeuring en bekendmaking verdragen overgelegd aan de Eerste en de Tweede Kamer der Staten-Generaal, de Staten van de Nederlandse Antillen en de Staten van Aruba.

¹⁾ In *Trb.* 2009, 86 is abusievelijk vermeld dat het systematisch nummer 9 (2009) Nr. 1 luidt. Dit dient 73 (2001) Nr. 1 te zijn.

²⁾ In *Trb.* 2009, 86 is ten onrechte de titel „Verdrag inzake internationale zekerheden op mobiel materieel” gebruikt en de titel van het Protocol onvermeld gebleven.

De toelichtende nota die de brieven vergezelde, is ondertekend door de Minister van Buitenlandse Zaken M. J. M. VERHAGEN.

De goedkeuring door de Staten-Generaal is verleend op 28 december 2009.

E. PARTIJGEGEVENS

Verdrag

Zie *Trb.* 2009, 86.

Partij	Onder- tekening	Ratificatie	Type *	In werking	Opzeg- ging	Buiten werking
Afghanistan		25-07-06	T	01-11-06		
Albanië		30-10-07	T	01-02-08		
Angola		30-04-06	T	01-08-06		
Bangladesh		15-12-08	T	01-04-09		
Burundi	16-11-01					
Canada	31-03-04					
Chili	16-11-01					
China	16-11-01	03-02-09	R	01-06-09		
Colombia		19-02-07	T	01-06-07		
Congo, Republiek	16-11-01					
Cuba	16-11-01	28-01-09	R	01-05-09		
Duitsland	17-09-02					
Ethiopië	16-11-01	21-11-03	R	01-03-06		
EU (Europese Unie)		28-04-09	T	01-08-09		
Frankrijk	16-11-01					
Gabon		16-04-10	T	01-08-10		
Ghana	16-11-01					
Ierland		29-07-05	T	01-03-06		
India		31-03-08	T	01-07-08		
Indonesië		16-03-07	T	01-07-07		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Italië	06-12-01					
Jamaica	16-11-01					
Jordanië	16-11-01					
Kaapverdië		26-09-07	T	01-01-08		
Kazachstan		21-01-09	T	01-05-09		
Kenia	16-11-01	13-10-06	R	01-02-07		
Lesotho	16-11-01					
Luxemburg		27-06-08	T	01-10-08		
Maleisië		02-11-05	T	01-03-06		
Mexico		31-07-07	T	01-11-07		
Mongolië		19-10-06	T	01-02-07		
Nederlanden, het Koninkrijk der – Nederland – Ned. Antillen – Aruba		– 17-05-10 17-05-10	T T	– 01-09-10 01-09-10		
Nigeria	16-11-01	16-12-03	R	01-03-06		
Oekraïne	09-03-04					
Oman		21-03-05	T	01-03-06		
Pakistan		22-01-04	T	01-03-06		
Panama	11-09-02	28-07-03	R	01-03-06		
Rwanda		28-01-10	T	01-05-10		
Saudi-Arabië	12-03-03	27-06-08	R	01-10-08		
Senegal	02-04-02	09-01-06	R	01-05-06		
Singapore		28-01-09	T	01-05-09		
Soedan	16-11-01					
Syrië		07-08-07	T	01-12-07		
Tanzania	16-11-01	30-01-09	R	01-05-09		
Togo		25-01-10	T	01-05-10		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Tonga	16-11-01					
Turkije	16-11-01					
Verenigd Koninkrijk, het	16-11-01					
Verenigde Arabische Emiraten, de		29-04-08	T	01-08-08		
Verenigde Staten van Amerika, de	09-05-03	28-10-04	R	01-03-06		
Zimbabwe		13-05-08	T	01-09-08		
Zuid-Afrika	16-11-01	18-01-07	R	01-05-07		
Zwitserland	16-11-01					
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

Verklaringen, voorbehouden en bezwaren

Afghanistan, 25 juli 2006

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

The Islamic Republic of Afghanistan declares that the following categories of non-consensual right or interest;

(a) liens in favor workers for unpaid wages arising since the time of a declared default under a contract to finance or lease the subject object;

(b) liens in favor of repairers of an object in their possession to the extent of service perform on and value added to that object – have priority under its law over an interest in an 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.

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

The Islamic Republic of Afghanistan declares that nothing in the Convention shall affect its right or that of any entity of that State, any intergovernmental Organization or other private provider of public services to arrest or detain an object under its laws for payment of amounts owed to the Islamic Republic of Afghanistan, any such entity, Organization or provider directly relating to the services provided by it in respect of that object or another object.

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

The Islamic Republic of Afghanistan declares that the following categories of non-consensual right or interest:

(a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment; and

(b) liens or other rights of a state entity relating to taxes or other unpaid charges –

shall be registerable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.

(iv) Form No. 10 (general declarations under Article 52)

The Islamic Republic of Afghanistan declares that the Convention is to apply to all its territorial units.

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

All primary courts of the Islamic Republic of Afghanistan are the relevant court(s) for the purposes of Article 1 and Chapter XII of the Convention.

(vi) Form No. 13 (mandatory declarations under Article 54(2))

The Islamic Republic of Afghanistan declares that any 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.

Albanië, 30 oktober 2007

(1) Pursuant to Article 39 of the Convention –

(A) all categories of non-consensual rights or interests which under Albania's law have and will in the future have priority over an interest in an object equivalent to that of the holder of a registered international interest shall to that extent have priority over a registered international interest, whether in or outside insolvency proceedings; and

(B) nothing in the Convention shall affect the right of the Republic of Albania or that of any entity thereof, any intergovernmental organization in which the Republic of Albania is a member State, or other private provider of public services in the Republic of Albania to arrest or detain an aircraft object under Albania's law for payment of amounts owed to any such entity, organization, or provider directly relating to the services provided by it in respect of that object or another object.

(2) Pursuant to Article 54 of the Convention, all remedies available to the creditor under the Convention or Protocol which are not expressed under the relevant provision thereof to require application to the court may be exercised, in accordance with Albania's law, without leave of the court.

Angola, 30 april 2006

Form No. 1 – Declaration under Article 39(1)(a)

The Republic of Angola declares that the following categories of non-consensual right or interests have priority under its law over an interest in an 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 favor of workers on the subject aircraft for unpaid wages arising since the time of a declared default under a contract to finance or lease that subject object;
- b. Liens in favor of repairers of an object in their possession to the extent of service performed on and value added to that object.

Form No. 6 – Declaration under Article 40

The Republic of Angola declares that the following categories of non-consensual right or interest:

- a. Rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment; and
- b. Liens or other rights of a state entity relating to taxes or other unpaid charges

Shall be registered under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.

Form No. 13 – Declaration under Article 54(2)

The Republic of Angola declares that any 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.

Bangladesh, 15 december 2008

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

The People's Republic of Bangladesh declares that the following categories of non-consensual rights 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, namely;

- (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 Bangladesh 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, 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 favor 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

- (ii) Form No. 4 (general opt-in declarations under Article 39(1)(b))
 The People's Republic of Bangladesh declares that nothing in the Convention shall affect its right or that of any entity thereof, or any intergovernmental organization in which Bangladesh is a member, or other private provider of public services in Bangladesh, to arrest or detain an aircraft object under its laws for payment of amounts owed to the Government of Bangladesh, any such entity, organization or provider directly relating to the service or services provided by it in respect of that aircraft object.
- (iii) Form No. 6 (opt-in declarations under Article 40)
 The People's Republic of Bangladesh declares that the following categories of non-consensual rights or interest shall be registerable under the Convention as regards any category of aircraft objects as if the right or interest were an international interest and shall be regulated accordingly, namely
- (a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgement; and
 - (b) liens or other rights of an authority of Bangladesh 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, 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) liens in favour of airline employees for unpaid wages arising prior to the time declared default by that airline under a contract to finance or lease an aircraft object;
- (iv) Form No. 10 (general declarations under Article 52)
 The People's Republic of Bangladesh declares that the Convention shall apply to whole of Bangladesh including its maritime boundaries.
- (v) Form No. 11 (declarations under Article 53)
 The People's Republic of Bangladesh declares that The Supreme Court of Bangladesh is the relevant Court of Bangladesh under the CTC} for the purposes of Article 1 and Chapter XII of the Convention.
- (vi) Form No. 13 (mandatory declarations under Article 54(2))
 The People's Republic of Bangladesh 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.

China, 3 februari 2009

1. Declaration under Article 39(1)(a) of the Convention: All non-consensual rights or interests which have priority over secured creditors under the law of the PRC shall have priority without registration over registered international interests, including but not limited to: claim for

bankruptcy expenses and community debts, employee's wages, taxes arising prior to the mortgage, pledge or lien of the civil aircraft, claim for remuneration for rescuing the civil aircraft, claim for necessary expenses incurred for the custody and maintenance thereof of the civil aircraft, etc.

Declaration under Article 39(1)(b) of the Convention: Nothing in this Convention shall affect the right of a State or State entity, intergovernmental organization or other provider of public services to arrest or detain an object under the laws of the PRC for payment of amounts owed to such entity, organization or provider directly relating to those services in respect of that object or another object.

Declaration under Article 39(4) of the Convention: A right or interest of a category covered by the declaration made under Article 39(1)(a) shall have priority over an international interest registered prior to the date of ratification of the Protocol.

2. Declaration under Article 40 of the Convention: Rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgement shall be registrable non-consensual rights or interests.

3. Declaration under Article 43 of the Convention: Article 43 is applicable to the PRC, and paragraph 1 and 2 (a) hereinto are applicable under the condition that the court of a Contracting State chosen by the parties shall be a court located in a place that has actual connections with the dispute of the agreement.

4. Declaration under Article 50(1) of the Convention: The Convention shall not apply to a transaction which is an internal transaction in relation to the PRC.

5. Declaration under Article 53 of the Convention: The intermediate people's courts where the headquarters of relevant airlines of the PRC are located have jurisdictions over aircraft equipment leasing disputes covered by the Convention.

6. Declaration under Article 54(1) of the Convention: While the charged object is situated within the territory of the PRC, the chargee shall not grant a lease of the object within the territory of the PRC.

Declaration under Article 54(2) of the Convention: Any remedy available to the creditor under any provision of the Convention which is not there expressed to require application to the court may be exercised only with leave of the court of the PRC.

Colombia, 19 februari 2007

In accordance with Articles 54 and 56 of the Convention Colombia declares that:

- a) In relation to Article 8 of the Convention, the remedies available to the creditor will be exercised only with leave of the court;
- b) In respect of Article 39 of the Convention, the employee company rights and fiscal debts will have priority over an international interest registered under this Convention.

Cuba, 28 januari 2009

The Republic of Cuba, in accordance with Article 54, section 2 of the Agreement, declares that any resource at the disposition of the creditor, according to any of the stipulations of the Agreement, may be exercised solely with the authorization of the Tribunal.

Duitsland, 17 september 2002

The Federal Republic of Germany, Member State of the European Community, declares that, in accordance with the Treaty establishing the European Community, the Community has competence with respect to certain matters governed by the Protocol. The signature of the Protocol on behalf of the Community will be decided by the competent Community institutions in accordance with the provisions of the Treaty.

Ethiopië, 21 november 2003

1. Non-consensual rights under Article 39(1)(a) of the Convention:
 - a. Claim of payment of workers arising from employment relationship;
 - b. Lien on goods in possession of home workers;
 - c. Lien created by repairers on goods in their possession;
 - d. Lien created by bailees on goods in their possession.
2. Registrable non-consensual right under Article 40 of the Convention: Right of judgment creditors.
3. Pursuant to Article 54(2) of the Convention, any remedy available to the creditor under any provision of the Convention which is not there expressed to require application to the court may be exercised without leave of the court.
4. No declaration under Article 55 of the Convention.

Ierland, 29 juli 2005

(1) In accordance with Article 39 of the Cape Town Convention, it is declared –

(a) that when, under a law of the State, a non-consensual right or interest (other than a right or interest to which Article 40 of the Cape Town Convention applies) has priority over an interest in an object equivalent to that of the holder of a registered international interest, that right or interest has priority over a registered international interest, whether in or outside insolvency proceedings, and

(b) that if –

- (i) the State or any State entity, or
- (ii) any intergovernmental organisation of which the State or such an entity is a member, or
- (iii) any private provider,

has provided a public service, nothing in that Convention affects the right of the State, entity, organisation or provider to arrest or detain, in accordance with the laws of the State, an object for the payment

of amounts owed to the State or any such entity, organisation or provider for those services in respect of that object or another object.

(2) In accordance with subarticle 2 of Article 54 of the Cape Town Convention, it is declared that a creditor who wishes to exercise a remedy that is available to the creditor under a provision of that Convention is not required to make an application to the High Court for leave to exercise that remedy unless the provision expressly requires the creditor to make such an application.

India, 31 maart 2008

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

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, namely: –

(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 and aircraft object;

(b) liens or other rights of an authority of India 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, 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.

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

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

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

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, namely: –

(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 India 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, aris-

- ing 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.
- (iv) Form No. 10 (general declarations under Article 52)
The Convention shall apply to all its territorial units.
- (v) Form No. 11 (declarations under Article 53)
All the High Courts within their respective territorial jurisdiction are the relevant courts for the purposes of Article 1 and Chapter XII of the Convention.
- (vi) Form No. 13 (mandatory declaration under Article 54(2))
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.

Indonesië, 16 maart 2007

- (i) Form No. 1 (specific opt-in declarations under the Article 39(1)(a))
Indonesia 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 under a contract to finance or lease an aircraft object;
 - b. liens or other right of an authority of Indonesia relating to taxes or other unpaid charges arising from or related to the use of that aircraft object, and arising since the time of a declared default under a contract to finance or lease that aircraft object; and
 - c. liens or other rights 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.
- (ii) Form No. 4 (general opt-in declarations under the Article 39(1)(b))
Indonesia declares that nothing in the Convention shall affect its right or that of any entity thereof, or any intergovernmental organization in which Indonesia is a member, or other private provider of public services in Indonesia, to arrest or detain an aircraft object under its laws for payment of amounts owed to the Government of Indonesia, any such entity, organization or provider directly relating to the service or services provided by it in respect of that or another aircraft object.
- (iii) Form No. 6 (opt-in declaration under the Article 40))
Indonesia 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 employee for unpaid wages prior to the time of a declared default under a contract to finance or lease aircraft object;
 - b. liens or other right of an authority of Indonesia relating to taxes or other unpaid charges arising from or related to the use of an aircraft object, and arising prior to the time of a declared default 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 judgement.
- (iv) Form No. 11 (declaration under Article 53)
Indonesia declares that [all] courts with the competent jurisdiction under the laws of Indonesia are the relevant courts for the purposes of Article 1 and Chapter XII of the Convention.
- (v) Form No. 13 (mandatory declaration under the Article 54(2))
Indonesia 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.

Kaapverdië, 26 september 2007

Form N° 1 – Declaration under Article 39(1)(a)

The Republic of Cape Verde declares that the following categories of non-consensual right or interest have priority under its law over an interest in an 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 favor of workers on the subject aircraft for unpaid wages arising since the time of a declared default under a contract to finance or lease that subject object;
- b. Liens in favor of repairers of an object in their possession to the extent of service performed on and value added to that object.

Form N° 6 – Declaration under Article 40°

The Republic of Cape Verde declares that the following non-consensual rights or interests:

- (a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment, and
- (b) liens or other rights of a state entity relating to taxes or other unpaid charges

shall be registrable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.

Form N° 11 – Declaration under Article 53°

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

Form N° 13 – Mandatory Declaration under Article 54(2)

The Republic of Cape Verde declares that any 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.

Kenia, 13 oktober 2006

- II. Form No. 4 (general Opt-in declaration Under Article 39(1)(b))
Kenya declares that nothing in the convention shall affect its right or that of any entity of the state, any intergovernmental organisation or other private provider of public services to arrest or detain an object under its laws for payment of amounts owed to Kenya, any such entity, organisation or provider directly relating to the services provided by it in respect of that object or another object.
- III. Form No. 6 (Opt-in declaration Under Article 40)
Kenya declares that the following category of non-consensual right or interest; rights of judgment creditors; shall be registerable under the convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.
- IV. Form No. 11 (Declaration Under Article 53)
Kenya declares that, The High Court of Kenya and the Court of Appeal of Kenya are the relevant court(s) for the purposes of Article (1) and chapter XII of the convention.
- V. Form No. 13 (Mandatory declaration Under Article 54(2))
Kenya declares that any 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 leave of the court.

Kenia, 30 mei 2007

1. Form No. 1 (specific Opt-in Declarations under Article 39(1)(a))
Kenya declares that the following categories of non-consensual right or interest;
- (a) Payments due to workers arising out of employment relations;
 - (b) Liens created by repairmen on objects in their possession;
 - (c) Liens created by bailees on objects in their possession; and
 - (d) Taxes, duties and or levies due to the Government,
- have priority under its law over an interest in an object equivalent to that of the holder of a registered international interest and shall to the extent provided by its law, have priority over a registered international interest, whether in or outside insolvency proceedings.

Luxemburg, 27 juni 2008

The Grand-Duchy of Luxembourg makes the following declarations without prejudice to the future exercise by the European Community of its competencies:

- pursuant to Article 53 of the Convention, the Grand-Duchy of Luxembourg declares that the courts and tribunals with competence by virtue of applicable Luxembourg legislation relating to judicial organisation are competent for the purpose of the application of Article 1 and Chapter XII of the Cape Town Convention;
- pursuant to Article 54(2) of the Convention, the Grand-Duchy of Luxembourg declares that any remedies available to the creditor under the Convention may be exercised without court intervention or action, unless the intervention of the court is expressly required by the provisions of the Cape Town Convention.

Maleisië, 2 november 2005

- (i) 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.
- (ii) 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.
- (iii) 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 air-

craft 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.

(iv) 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.

(v) 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.

Mexico, 31 juli 2007

1. Pursuant to Article 54 of the Convention, all remedies available to the creditor under the Convention which are not expressed under the relevant provision thereof to require application to the court shall not be exercised, in accordance with the United Mexican States law, without leave of the court.

2. Pursuant to Article 39 paragraph 1 of the Convention:

a) all categories of non-consensual rights or interests which under United Mexican States law has and will in the future have priority over an interest in an object equivalent to that of the holder of a registered international interest shall have priority over a registered international interest; and

b) nothing in the Convention shall affect the right of the United Mexican States or that of any entity thereof, any intergovernmental organization in which the United Mexican States is a member State, or other private provider of public services in its territory to arrest or detain an object, given in interest under Mexican law for payment of amounts owed to any such entity, organization, or provider directly relating to the services provided by it in respect of that object or another object, according to the Mexican law.

3. The United Mexican States declares that the Convention shall not apply to a transaction which is an internal transaction in relation to itself with regard to all types of object, subject to Article 50.

4. For the purposes of Article 1 and Chapter XII of the Convention, the relevant courts will be the courts legally constituted and invested with the Mexican Judicial Power.

5. In accordance with Article 60 paragraph 1, the Convention will not be applicable to the pre-existing rights or interests as defined in Article 1 subparagraph v) of the Convention, constituted prior to the date of the entrance into force for the United Mexican States of this international

instrument, consistent with its national law. Those rights and interests will retain the priority they enjoyed under Mexican law prior to that date.

Mongolië, 19 oktober 2006

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

Mongolia declares that the following categories of non-consensual right or interest:

(a) liens in favor of airline workers for unpaid wages arising since the time of a declared default under a contract to finance or lease the subject object;

(b) liens in favor of repairers of an object in their possession to the extent of service performed on and value added to that object.

have priority under its law 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.

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

Mongolia declares that nothing in the Convention shall affect its right or that of any entity of that State, any intergovernmental Organisation or other private provider of public services to arrest or detain an object under its laws for payment of amounts owed to Mongolia, any such entity, Organisation or provider directly relating to the services provided by it in respect of that object or another object.

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

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

(iv) Form No. 13 (mandatory declarations under Article 54)

Mongolia declares that any 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.

Nederlanden, het Koninkrijk der, 17 mei 2010

While ratifying the Convention on International Interests in Mobile Equipment (...), done at Cape Town on 16 November 2001, the Kingdom of the Netherlands, for the Netherlands Antilles and Aruba, wishes to make the following declarations:

Declarations pursuant to Article 56 of the Convention:

Pursuant to Article 39 of the Convention, the Kingdom of the Netherlands declares:

(A) all categories of non-consensual rights or interests which under Netherlands Antilles and Aruba law have and will in the future have priority over an interest in an object equivalent to that of the holder of a

registered international interest shall to that extent have priority over a registered international interest, whether in or outside insolvency proceedings; and

(B) nothing in the Convention shall affect the rights of the Netherlands Antilles and Aruba, any intergovernmental organization in which the Netherlands Antilles or Aruba is a Member State, or other provider of public services in the Netherlands Antilles or in Aruba to arrest or detain an aircraft object under the Netherlands Antilles and Aruba law for payment of amounts owed to such entity, organization or provider directly relating to the services provided by it in respect of that object or another object.

Pursuant to Article 52, paragraph 1, of the Convention, the Kingdom of the Netherlands declares that the Convention is to apply to the following territorial units: the Netherlands Antilles and Aruba.

Pursuant to Article 53 of the Convention, the Kingdom of the Netherlands declares that the Netherlands Antilles and Aruba courts and tribunals with competence by virtue of the Netherlands Antilles and Aruba legislation relating to judicial organization are competent for the purpose of the application of Article 1 and Chapter XII of the Convention.

Pursuant to Article 54, paragraph 2, of the Convention, the Kingdom of the Netherlands declares:

All remedies available to the creditor under the Convention or Protocol which are not expressed under the relevant provision thereof to require application to the court may be exercised, in accordance with the law of the Netherlands Antilles and the law of Aruba, without the leave of the court.

Nigeria, 26 maart 2007

(i) Form No. 1 (specific opt-in declaration under Article 39(1)(a))

The Federal Republic of Nigeria declares that the following categories of non-consensual right or interest:

(a) liens in favor workers for unpaid wages arising since the time of a declared default under a contract to finance or lease the subject object for services performed relating to that object; and

(b) liens in favor of repairers of an object in their possession to the extent of services performed on and value added to that object – have priority under its law over an interest in an 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:

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

The Federal Republic of Nigeria declares that the following categories of non-consensual right or interest:

(a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgement;

(b) liens or other rights of a state entity relating to taxes or other unpaid charges;

(c) liens of a salvor for unpaid charges in respect of salvage services provided to an aircraft object when it is water borne;
 (d) liens of a person providing towage services to an aircraft object when it is water borne in respect of unpaid charges and
 (e) liens of a bailee of an aircraft object in respect of unpaid charges for the bailment of the said aircraft object,
 shall be registerable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.

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

The Federal Republic of Nigeria declares that the Federal High Court established under Section 249 of the Constitution of the Federal Republic of Nigeria 1999 is the relevant court for the purposes of Article 1 and Chapter XII of the Convention.

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

The Federal Republic of Nigeria declares that any 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.

Oman, 21 maart 2005

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

The Sultanate of Oman declares that the following categories of non-consensual right or interest:

(a) liens in favor of airline workers for unpaid wages arising since the time of a declared default under a contract to finance or lease the subject object;

(b) liens or other rights of an Omani state entity relating to taxes or other unpaid charges since the time of a declared default under a contract to finance or lease the subject object;

(c) liens in favor of repairers of an object in their possession to the extent of service performed on and value added to that object – have priority under its law over an interest in an 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.

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

The Sultanate of Oman declares that nothing in the Convention shall affect its right or that of any entity of that State, any intergovernmental Organisation or other private provider of public services to arrest or detain an object under its laws for payment of amounts owed to the Sultanate of Oman, any such entity, Organisation or provider directly relating to the services provided by it in respect of that object or another object.

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

The Sultanate of Oman declares that the following categories of non-consensual right or interest:

- (a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment;
- (b) liens in favor workers for unpaid wages arising prior to the time of a declared default under a contract to finance or lease the subject object;
- (c) liens or other rights of a state entity relating to taxes or other unpaid charges prior to the time of a declared default under a contract to finance or lease the subject object;
- (d) all other non consensual rights or interests which under the law of the Sultanate of Oman could have priority over the rights of secured creditors –

shall be registerable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.

- (iv) Form No. 10 (general declarations under Article 52)

The Sultanate of Oman declares that the Convention is to apply to all its territorial units.

- (v) Form No. 11 (declarations under Article 53)

All primary courts are the relevant court(s) for the purposes of Article 1 and Chapter XII of the Convention.

- (vi) Form No. 13 (mandatory declarations under Article 54 (2))

The Sultanate of Oman declares that any 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.

Pakistan, 22 januari 2004

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

Pakistan declares that the following categories of non-consensual right or interest:

- (a) a right or interest in respect of an aircraft which, if the aircraft had been a vessel, would have resulted in a maritime lien on the aircraft and its equipment for (a) salvage and (b) damage done by that aircraft;

- (b) liens in favour of any State entity relating to unpaid taxes or other charges directly related to the use of that aircraft and owed by the owner of the aircraft;

have priority under its law over an interest in an 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.

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

Pakistan declares that nothing in the Convention shall affect its right or that of any entity of that State, any intergovernmental Organisation or other private provider of public services to arrest or detain an object under its laws for payment of amounts owed to Pakistan, any

- such entity, Organisation or provider directly relating to the services provided by it in respect of that object or another object.
- (iii) Form No. 5 (general opt-in declarations under Article 39(4))
Pakistan declares that a right or interest of a category covered by a declaration made under Form No. 1 shall have priority over an international interest registered prior to the date of the deposit of its instrument of accession.
- (iv) Form No. 6 (opt-in declarations under Article 40))
Pakistan declares that the following categories of non consensual right or interest:
(a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment; and
(b) liens or other rights of a State entity relating to taxes or other unpaid charges of any type whatsoever (which is not a priority non consensual right or interest)
shall be registrable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.
- (v) Form No. 10 (general declarations under Article 52)
Pakistan declares that the Convention is to apply to all its territorial units.
- (vi) Form No. 11 (declarations under Article 53)
Pakistan declares that the following court(s):
the High Court of Balochistan;
the Lahore High Court;
the Peshawar High Court; and
the High Court of Sindh
within their respective territorial jurisdiction, are the relevant court(s) for the purposes of Article 1 and Chapter XII of the Convention.
- (vii) Form No. 13 (mandatory declarations under Article 54 (2))
Pakistan declares that any 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.

Panama, 28 juli 2003

Pursuant to Article 56(1) of the Convention and Article XXXII of the Protocol and in accordance with its internal legal system, the Republic of Panama makes the following declarations in respect of Articles 13, 39, 50, 53 and 54 of the Convention and Article XXX of the Protocol:
1. In respect of Article 13(1)(a), (b) and (c) of the Convention, the words "speedy relief" shall be taken to mean seven (7) working days and, in respect of Article 13(1)(d), the same words shall be taken to mean twenty (20) working days.

2. In respect of Article 39 of the Convention, the following non-consensual rights and interests shall prevail over an international interest registered in accordance with the Convention:

- any sums due from or capable of being demanded from the debtor by way of salaries, pensions and other social security benefits and employment allowances owed in respect of employees of that debtor;
- any sums due from or capable of being levied from the debtor by way of fiscal and para-fiscal contributions owed in respect of employees of that debtor;
- any sums due from or capable of being levied from the debtor, by way of taxes, duties or contributions payable to the Panamanian State or to the decentralised bodies that collect such revenue, in accordance with Panama's internal laws;
- the right of the Republic of Panama to arrest, attach or confiscate mobile equipment and aircraft equipment in the event of breach of the customs or criminal laws of the Republic of Panama.

The Republic of Panama declares that the rights or interests covered by this declaration shall prevail over an international interest registered before the date of the deposit of its instrument of ratification in respect of the Convention and the Protocol.

Likewise, it declares that none of the provisions of the Convention shall affect the right of the Panamanian State, a State entity, an intergovernmental organisation or a provider of public services to arrest or detain an object under the laws of the Republic of Panama for payment of amounts owed to such entity, organisation or provider directly relating to those services in respect of that object.

Finally, the Panamanian State states that these declarations do not pose an unacceptable risk to the holders of registered rights.

3. As to Article 50 of the Convention, the Convention and the Protocol shall not apply to any transaction which is an internal transaction in relation to the Republic of Panama with regard to all those types of objects falling within the sphere of application of the Convention or the Protocol.

4. As to Article 53 of the Convention, in accordance with the internal laws of the Republic of Panama, the relevant courts are as follows:

- ordinary courts;
- administrative courts;
- the civil aviation authority;
- those advisory bodies exercising supervisory functions in respect of financial institutions and insurance companies (superintendencias);
- arbitral tribunals,

subject to the powers vested in them by the internal laws of the Republic of Panama.

5. Pursuant to Article 54(2) of the Convention, any remedies available to the creditor under any provision of the Convention and the Protocol which are not there expressed to require application to the court may be exercised without leave of the court.

6. As to Article XXX(1) of the Protocol, it will apply Articles VIII, XII and XIII of the Protocol.
7. As to Article XXX(2) of the Protocol, it will apply Article X of the Protocol.
8. As to Article XXX(3) of the Protocol:
 - (a) it will apply the entirety of Alternative A of Article XI of the Protocol to all types of insolvency proceeding, as defined in the Convention;
 - (b) the waiting period under Article XI shall not exceed 60 days.

Rwanda, 28 januari 2010

- (i) Form No. 1 (specific opt-in declarations under Article 39(1)(a))
The Republic of Rwanda declares that the following categories of non-consensual right or interest:
 - (a) liens in favor of workers for unpaid wages arising since the time of a declared default declared by an employer under a contract to finance or lease the subject object;
 - (b) liens in favor of repairers of an object in their possession to the extent of service performed on and value added to that object – have priority under its law over an interest in an 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.
- (ii) Form No. 6 (opt-in declarations under Article 40))
The Republic of Rwanda declares that the following categories of non-consensual right or interest:
 - (a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment; and
 - (b) liens or other rights of a state entity relating to taxes or other unpaid charges of any type whatsoever (which is not covered by the declaration under Article 39(1)(a) of the Convention); and
 - (c) any other non-consensual right or interest which is not covered by the declaration under Article 39(1)(a) of the Convention – shall be registerable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.
- (iii) Form No. 10 (general declarations under Article 52)
The Republic of Rwanda declares that the Convention is to apply to all its territorial units.
- (iv) Form No. 11 (declarations under Article 53)
The Commercial Court and The Commercial High Court are the relevant court(s) for the purposes of Article 1 and Chapter XII of the Convention.
- (v) Form No. 13 (mandatory declarations under Article 54(2))
The Republic of Rwanda declares that any remedies available to the creditor under the Convention which are not expressed under the rel-

evant provision thereof to require application to the court may be exercised without leave of the court or other court action.

Saudi-Arabië, 27 juni 2008

The Government of the Kingdom of Saudi Arabia declares that: all remedies available to the creditor under any provision of the Convention shall be exercised without leave of the Court, unless there is any expressed provision requiring the submission of an application to the Court.

Senegal, 9 januari 2006

- (i) Form No. 1 (specific opt-in declaration under Article 39(1)(a))
The Republic of Senegal declares that the following categories of non-consensual right or interest;
 - (a) liens in favour of employees for unpaid wages arising since the time of a declared default by an employer under a contract to finance or lease an object;
 - (b) liens in favour of repairers to the extent of service or services performed on and value added to that object – have priority under its law over an interest in an 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.
- (ii) Form No. 4 (general opt-in declaration under Article 39(1)(b))
The Republic of Senegal declares that nothing in the Convention shall affect its right or that of any entity of that State, any intergovernmental Organisation or other private provider of public services to arrest or detain an object under its laws for payment of amounts owed to any such entity, Organisation or provider directly relating to the services provided by it in respect of that object or another object.
- (iii) Form No. 6 (opt-in declaration under Article 40)
The Republic of Senegal declares that the following non-consensual rights or interests:
 - (a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment, and
 - (b) liens or other rights of a state entity relating to taxes or other unpaid charges shall be registrable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly
- (iv) Form No. 10 (general declaration under Article 52)
The Republic of Senegal declares that the Convention is to apply to all its territorial units.
- (v) Form No. 11 (declaration under Article 53)
The Republic of Senegal declares that the Senegalese courts are the relevant courts for the purposes of Article 1 and Chapter XII of the Convention.

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

The Republic of Senegal declares that the remedies available to the creditor under the Convention may be exercised without leave of the court except for the remedies which are expressed under the Convention to require application to the court.

Singapore, 28 januari 2009

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

In accordance with Article 39 of the Cape Town Convention, Singapore declares that:

(a) all categories of non-consensual rights or interests which under Singapore law have and will in the future have priority over an interest in an object equivalent to that of the holder of a registered international interest shall to that extent have priority over a registered international interest, whether in or outside insolvency proceedings;

(b) nothing in the Convention shall affect the right of Singapore or that of any State entity thereof, any intergovernmental organisation, or other private provider of public services in Singapore to arrest or detain an aircraft object under Singapore law for payment of amounts owed to Singapore, any such entity, organisation, or provider directly relating to those services in respect of that object or another object; and

(c) all categories of non-consensual rights or interests covered by this declaration shall prevail over an international interest registered before the date of the deposit of this declaration.

Form No. 11 (declarations under Article 53)

Singapore declares that the High Court of the Republic of Singapore is the relevant court for the purposes of Article 1 and Chapter XII of the Convention.

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

Singapore declares that 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.

Tanzania, 30 januari 2009

The United Republic of Tanzania does hereby declare that any 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 leave of the court.

Verenigd Koninkrijk, het, 16 november 2001

The United Kingdom, member of the European Community, declares that, in accordance with the Treaty establishing the European Community, the Community has competence with respect to certain matters governed by the Convention. Signature of the Convention on behalf of the Community will be decided by the competent Community institutions in accordance with the provisions of the Treaty.

Verenigde Arabische Emiraten, de, 29 april 2008

- (i) Form No. 1 (Specific opt-in declarations under Article 39(1)(a))
 The United Arab Emirates declares that the following categories of non-consensual right or interest:
 (a) liens in favour of airlines workers for unpaid wages arising since the time of a declared default under a contract to finance or lease the subject object;
 (b) liens in favour of any United Arab Emirates state entity relating to unpaid taxes or other charges since the time of a declared default under a contract to finance or lease the subject object.
 (c) liens in favour of repairers of an object in their possession to the extent of services performed on and value added to the object. shall have priority under its law over an interest in an object equivalent to that of the holder of a registered international interest and shall have priority over a registered international interest and shall have priority over a registered international interest, whether in or outside insolvency proceedings.
- (ii) Form No. 4 (general opt-in declarations under Article 39(1)(b))
 The United Arab Emirates declares that nothing in the Convention shall affect its right or that of any entity of that State, any intergovernmental Organization or other private provider of public services to arrest or detain an object under its laws for payment of amounts owed to the United Arab Emirates, any such entity, Organization or provider directly relating to the services provided by it in respect of the object.
- (iii) Form No. 6 (opt-in declarations under Article 40)
 The United Arab Emirates declares that the following categories of non-consensual right or interest:
 (a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgement;
 (b) liens in favour of workers for unpaid wages arising prior to the time of a declared default under a contract to finance or lease the subject object;
 (c) liens or other rights of a state entity relating to taxes or other unpaid charges arising
 (d) all other nonconsensual rights or interests which under the law of the United Arab Emirates could have priority over the rights of secured creditors –
 shall be registrable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.
- (iv) Form No. 10 (general declaration under Article 52)
 The United Arab Emirates declares that the Convention is to apply to all its territorial units.
- (v) Form No. 11 (declarations under Article 53)

The United Arab Emirates declares that all primary courts within their respective territorial jurisdictions are the relevant court(s) for the purposes of Article 1 and Chapter XII of the Convention.

(vi) Form No. 13 (mandatory declarations under Article 54(2))

The United Arab Emirates declares that any 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 only with leave of the court.

Verenigde Staten van Amerika, de, 28 oktober 2004

(1) Pursuant to Article 39 of the Convention –

(A) all categories of non-consensual rights or interests which under United State law have and will in the future have priority over an interest in an object equivalent to that of the holder of a registered international interest shall to that extent have priority over a registered international interest, whether in or outside insolvency proceedings; and

(B) nothing in the Convention shall affect the right of the United States or that of any entity thereof, any intergovernmental organization in which the United States is a member State, or other private provider of public services in the United States to arrest or detain an aircraft object under United States law for payment of amounts owed to any such entity, organization, or provider directly relating to the services provided by it in respect of that object or another object.

(2) Pursuant to Article 54 of the Convention, all remedies available to the creditor under the Convention or Protocol which are not expressed under the relevant provision thereof to require application to the court may be exercised, in accordance with United States law, without leave of the court.

Zuid-Afrika, 18 januari 2007

(i) Form No. 1 (specific opt-in declaration under Article 39(1)(a))

Pursuant to Article 39(1)(a) of the Convention the Republic of South Africa declares that all categories of non-consensual rights or interests which under South African law have and will in the future have priority over an interest in an object equivalent to that of the holder of a registered international interest shall to that extent have priority over a registered international interest.

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

Pursuant to Article 39(1)(b) of the Convention the Republic of South Africa declares that nothing in the Convention shall affect its right or that of any entity of that State, any Intergovernmental Organization or other private provider of public services to arrest or detain an object under its laws for payment of amounts owed to The Republic

of South Africa, any such entity, Organization or provider directly relating to the services provided by it in respect of that object or another object.

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

The Republic of South Africa declares that the following categories of non-consensual right or interest:

(a) rights of a person obtaining a court order permitting attachment of an aircraft object in partial or full satisfaction of a legal judgment; and

(b) liens or other rights of a state entity relating to taxes or other unpaid charges –

shall be registerable under the Convention as regards any category of object as if the right or interest were an international interest and shall be regulated accordingly.

(iv) Form No. 13 (Mandatory declaration under Article 54(2))

The Republic of South Africa declares that any 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.

Protocol

Zie *Trb.* 2009, 86.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Afghanistan		25-07-06	T	01-11-06		
Albanië		30-10-07	T	01-02-08		
Angola		30-04-06	T	01-08-06		
Bangladesh		15-12-08	T	01-04-09		
Burundi	16-11-01					
Canada	31-03-04					
Chili	16-11-01					
China	16-11-01	03-02-09	R	01-06-09		
Colombia		19-02-07	T	01-06-07		
Congo, Republiek	16-11-01					
Cuba	16-11-01	28-01-09	R	01-05-09		
Duitsland	17-09-02					
Ethiopië	16-11-01	21-11-03	R	01-03-06		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
EU (Europese Unie)		28-04-09	T	01-08-09		
Frankrijk	16-11-01					
Ghana	16-11-01					
Ierland		23-08-05	T	01-03-06		
India		31-03-08	T	01-07-08		
Indonesië		16-03-07	T	01-07-07		
Italië	06-12-01					
Jamaica	16-11-01					
Jordanië	16-11-01					
Kaapverdië		26-09-07	T	01-01-08		
Kenia	16-11-01	13-10-06	R	01-02-07		
Lesotho	16-11-01					
Luxemburg		27-06-08	T	01-10-08		
Maleisië		02-11-05	T	01-03-06		
Mexico		31-07-07	T	01-11-07		
Mongolië		19-10-06	T	01-02-07		
Nederlanden, het Koninkrijk der – Nederland – Ned. Antillen – Aruba		– 17-05-10 17-05-10	T T	– 01-09-10 01-09-10		
Nigeria	16-11-01	16-12-03	R	01-03-06		
Oekraïne	03-03-04					
Oman		21-03-05	T	01-03-06		
Pakistan		22-01-04	T	01-03-06		
Panama	11-09-02	28-07-03	R	01-03-06		
Rwanda		28-01-10	T	01-05-10		
Saudi-Arabië	12-03-03	27-06-08	R	01-10-08		
Senegal	02-04-02	09-01-06	R	01-05-06		

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Singapore		28-01-09	T	01-05-09		
Soedan	16-11-01					
Tanzania	16-11-01	30-01-09	R	01-05-09		
Tonga	16-11-01					
Turkije	16-11-01					
Verenigd Koninkrijk, het	16-11-01					
Verenigde Arabische Emiraten, de		29-04-08	T	01-08-08		
Verenigde Staten van Amerika, de	09-05-03	28-10-04	R	01-03-06		
Zuid-Afrika	16-11-01	18-01-07	R	01-05-07		
Zwitserland	16-11-01					
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

Verklaringen, voorbehouden en bezwaren

Afghanistan, 25 juli 2006

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

The Islamic Republic of Afghanistan declares that it will apply Article VIII.

- (ii) Form No. 21 (opt-in declarations XXX(2) in respect of Article X providing for the application of the entirety of the latter)

The Islamic Republic of Afghanistan declares that it will apply Article X 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) shall be in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects) not more than ten (10) calendar days and in respect of the remedies specified in Articles 13(1)(d) and (e) of the Convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) not more than thirty (30) calendar days.

- (iii) Form No. 23 (general op-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 proceeding)
The Islamic Republic of Afghanistan declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and that the waiting period for the purposes of Article XI(3) of that Alternative shall be sixty (60) calendar days.
- (iv) Form No. 26 (opt-in declarations under Article XXX(1) in respect of Article XII)
The Islamic Republic of Afghanistan declares that it will apply Article XII.
- (v) Form No. 27 (opt-in declaration under Article XXX(1) in respect of Article XIII)
The Islamic Republic of Afghanistan declares that it will apply Article XIII.
- (vi) Form No. 34 (general declarations under Article XXIX)
The Islamic Republic of Afghanistan declares that the Aircraft Protocol is to apply to all its territorial units.

Albanië, 30 oktober 2007

- (1) Pursuant to Article XXX of the Protocol -
 - (A) the Republic of Albania will apply Article VIII of the Protocol;
 - (B) the Republic of Albania will apply Article XII of the Protocol;
 - (C) the Republic of Albania will apply Article XIII of the Protocol.
- (2) (A) Pursuant to Article XIX of the Protocol -
 - (i) the General Directorate of Civil Aviation (DGCA), acting through its Aircraft Registry, with its seat “Muhamet Gjollësja”, street (close to the park of delegations) Tirana Albania, shall be the entry point at which information required for registration in respect of airframes or helicopters pertaining to civil aircraft of the Republic of Albania or aircraft to become a civil aircraft of the Republic of Albania shall be transmitted, and in respect of aircraft engines may be transmitted, to the International Registry; and
 - (ii) the requirements of Chapter III of title “The Aircraft and the Maintenance of the Aircraft Registry”, of law no. 7877 of November 30th, “On Albanian Civil Aviation”, shall be fully complied with before such information is transmitted at the General Directorate of Civil Aviation (DGCA), to the International Registry.
- (B) For purposes of the designation in subparagraph (A)(i) and the requirements in subparagraph (A)(ii), information is transmitted at the General Directorate of Civil Aviation (DGCA), in accordance with procedures established under Albania’s law.

(C) In this paragraph, the term “civil aircraft of the Republic of Albania” has the meaning given that term in article 3, point (d), of Law no.7877 of November 30th, “On Albanian Civil Aviation”.

Angola, 30 april 2006

Form No. 19 – Declaration under Article XXX(1) in respect of Article VIII

The Republic of Angola declares that it will apply Article VIII.

Form No. 21 – Declaration under Article XXX(2) in respect of Article X

The Republic of Angola declares that it will apply Article X in its entirety and the number of working days to be used for the purposes of the time-limit laid down in Article X(2) shall be:

- a. 10 days in respect of actions specified in paragraph a), b) and c) of article 13(1) of the Convention;
- b. 30 days in respect of actions specified in paragraph d), and e) of article 13(1) of the Convention.

Form No. 23 – Declaration under Article XXX(3) in respect of Article XI

The Republic of Angola declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and the “waiting period” for the purposes of Article XI(3) shall be 60 calendar days.

Form No. 26 – Declaration under Article XXX(1) in respect of Article XII

The Republic of Angola declares that it will apply Article XII.

Form No. 27 – Declaration under Article XXX(1) in respect of Article XIII

The Republic of Angola declares that it will apply Article XIII.

Bangladesh, 15 december 2008

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

The People’s Republic of Bangladesh declares that it shall apply Article VIII of the Protocol.

(ii) Form No. 21 (opt-in declarations under XXX(2) in respect of Article X providing for the application of the entirety of Article X)

The People’s Republic of Bangladesh 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 not more than:

- (a) ten (10) calendar days in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention (respectively preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and, immobilization of the aircraft objects); and
- (b) thirty (30) calendar days in respect of the remedies specified in Articles 13(1)(d) and (e) of the Convention (respectively lease or

management of the aircraft objects and the income thereof; and, sale and application of proceeds from the aircraft objects).

- (iii) 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 proceeding)

The People's Republic of Bangladesh declares that it shall apply Article XI, Alternative A of the Protocol in its entirety to all types of insolvency proceeding and that the waiting period for the purposes of Article XI(3) of that Alternative shall be sixty (60) calendar days.

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

The People's Republic of Bangladesh declares that it shall apply Article XII of the Protocol.

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

The People's Republic of Bangladesh declares that it shall apply Article XIII of the Protocol.

- (vi) Form No. 34 (general declarations under Article XXIX)

The People's Republic of Bangladesh declares that the Aircraft Protocol shall apply to whole of Bangladesh including its maritime boundaries.

China, 3 februari 2009

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7. The PRC declares that it will apply the provisions of Article VIII, Article XII and Article XIII of the Protocol.

8. The PRC declares that it will apply the provisions of Article X(1), (2), (3), (4), (6), (7) of the Protocol. The court of the PRC, upon receipt of the application shall, in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention, make order within 10 calendar days which shall be enforced immediately and in respect of the remedies specified in Articles 13(1)(d) and (e) of the Convention, make order within 30 calendar days which shall be enforced immediately.

9. The PRC declares that it will apply the entirety of Alternative A of Article XI of the Protocol to all types of insolvency proceeding defined by the Protocol, and that the waiting period shall be 60 calendar days.

10. According to provisions of Article XIX of the Protocol, the PRC designates the Aircraft Rights Registry under the Civil Aviation Administration of China (CAAC) as the entry point.

11. Unless otherwise notified by the Government of the PRC, the Convention and the Protocol shall not apply to the Hong Kong Special Administrative Region and the Macao Special Administrative Region.

Colombia, 19 februari 2007

In accordance with Article XXXII of the Protocol, Colombia declares that:

- a) In respect of Article XXX(1) of the Protocol, Article VIII will apply.

- b) In respect of Article XXX(2) of the Protocol, Article X will apply in its entirety, and the number of working days to be used for the purposes of the time-limit laid down in Article X(2) shall be 30 days.
- c) In respect of Article XXX(3) of the Protocol, Alternative A of Article XI will apply in its entirety to all types of insolvency proceeding and the waiting period for the case of Article XI(3) of that Alternative shall be 60 days.
- d) In respect of Article XXX(1) of the Protocol, Article XII will apply.

Duitsland, 17 september 2002

The Federal Republic of Germany, Member State of the European Community, declares that, in accordance with the Treaty establishing the European Community, the Community has competence with respect to certain matters governed by the Protocol. The signature of the Protocol on behalf of the Community will be decided by the competent Community institutions in accordance with the provisions of the Treaty.

Ethiopië, 21 november 2003

1. Pursuant to Article XXX(1) of the Protocol, Articles VIII, XII and XIII of the Protocol will be applied.
2. Pursuant to Article XXX(2) of the Protocol:
 - a. The entirety of Article X of the Protocol will be applied;
 - b. The time period required thereby is (a) in respect of the remedies specified in Article 13(1)(a)-(c) of the Convention no more than five working days and (b) in respect of the remedies specified in Articles 13(1)(d)-(e) of the Convention no more than 20 working days.
3. Pursuant to Article XXX(3) of the Protocol:
 - a. The entirety of Alternative A of Article XI of the Protocol will be applied to “all insolvency proceedings” (as defined in the Convention);
 - b. The “waiting period” (as defined therein) under Article XI(3) is no more than 30 working days.

Ierland, 23 augustus 2005

In accordance with Article XXX of the Aircraft Protocol, it is declared that Articles VIII, XII and XIII, and subarticle 3 of Article X, of that Protocol apply to and in respect of the State.

India, 31 maart 2008

- (i) Form No. 19 (opt-in declaration under Article XXX(1) in respect of Article VIII)
India will apply Article VIII.
- (ii) 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

India will apply Article X of the Protocol in its entirety and 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 that equal to 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, immobilization 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).
- (iii) Form No. 23 (general opt-in declaration 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)
India will 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 two (2) calendar months.
- (iv) Form No. 26 (opt-in declaration under Article XXX(1) in respect of Article XII)
India will apply Article XII.
- (v) Form No. 27 (opt-in declaration under Article XXX(1) in respect of Article XIII)
India will apply Article XIII.

Indonesië, 16 maart 2007

- (i) Form No. 19 (opt-in declaration under the Article XXX(1) in respect of Article VIII)
Indonesia declares that it shall apply Article VIII.
- (ii) Form No. 26 (opt-in declaration under the Article XXX(1) in respect of Article XII)
Indonesia declares that it shall apply Article XII.
- (iii) Form No. 27 (opt-in declaration under the Article XXX(1) in respect of Article XIII)
Indonesia declares that it shall apply Article XIII.
- (iv) Form No. 21 (opt-in declaration under the Article XXX(2) in respect of Article X providing for the application of the entirety of Article X)
Indonesia declares that it shall apply Article X of the Protocol in its entirety and that the number of calendar 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) calendar 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 immobilization of aircraft objects); and

- b. thirty (30) calendar days in respect of the remedies specified in Article 13(d) and (e) of the Convention (respectively, lease or management of aircraft object and the income thereof; and, sale and application of proceeds from aircraft object).
- (v) Form No. 23 (general opt-in declaration under the Article XXX(3) in respect of Article XI providing for the application of Alternative A in its entirety to all types of insolvency proceedings)
- Indonesia 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) calendar days.

Kaapverdië, 26 september 2007

Form N° 19 – Declaration under Article XXX(1) in respect of Article VIII

The Republic of Cape Verde declares that it will apply Article VIII.

Form N° 21 – Declaration under Article XXX (2) in respect of Article X

The Republic of Cape Verde declares that it will apply Article X in its entirety and the number of working days to be used for the purposes of the time-limit laid down in Article X(2) shall be that equal to no more than:

- a. 10 calendar days in respect of actions specified in paragraph a), b) and c) of article 13(1) of the Convention;
- b. 30 calendar days in respect of actions specified in paragraph d), and e) of article 13(1) of the Convention.

Form N° 23 – Declaration under Article XXX (3) in respect of Article XI

The Republic of Cape Verde declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and the “waiting period” for the purposes of Article XI(3) shall be 60 calendar days.

Form N° 26 – Declaration under Article XXX (1) in respect of Article XII

The Republic of Cape Verde declares that it will apply Article XII.

Form N° 27 – Declaration under Article XXX (1) in respect of Article XIII

The Republic of Cape Verde declares that it will apply Article XIII.

Kenia, 13 oktober 2006

I. Form No. 19 (Opt-in declaration Under Article XXX(1) in respect of Article VIII)

Kenya declares that it will apply Article VIII.

II. Form No. 21 (Opt-in declaration Under Article XXX(2) in respect of Article X providing for the application of the entirety of the latter)

Kenya declares that it will apply Article X 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) shall be in respect of the remedies speci-

fied in Articles 13(1) (a), (b) and (c) of the convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects and immobilization of the aircraft objects) not more than ten (10) calendar days and in respect of the remedies specified in Articles 13(1) (d) and (e) of the convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) not more than thirty (30) calendar days.

III. Form No. 23 (general Opt-in declaration under Article XI providing for the application of Alternative A in its entirety to all types of insolvency proceeding)

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

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

Kenya declares that it will apply Article XII.

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

Kenya declares that it will apply Article XIII.

Luxemburg, 27 juni 2008

The Grand-Duchy of Luxembourg makes the following declarations without prejudice to the future exercise by the European Community of its competencies:

– pursuant to Article XXX(1) of the Aircraft Protocol, the Grand-Duchy of Luxembourg declares that it will apply Articles VIII, XII and XIII;

– pursuant to Article XXX(2) of the Aircraft Protocol, the Grand-Duchy of Luxembourg declares that it will apply Article X in its entirety except for paragraph (5), and that the expression « speedy » shall represent a period of 10 days in relation to the measures enumerated in paragraphs (a) to (c) of Article 13(1) of the Convention and a period of 30 days in relation to the measures enumerated in paragraphs (d) and (e) of the same Article;

– pursuant to Article XXX(3) of the Aircraft Protocol, the Grand-Duchy of Luxembourg declares that it will apply in its entirety Alternative A of Article XI and that the waiting period for the purposes of Article XI(3) is 60 days.

Maleisië, 2 november 2005

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

Malaysia declares that it shall apply Article VIII.

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

Malaysia declares that it shall apply Article XII.

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

Malaysia declares that it shall apply Article XIII.

- (iv) 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).

Maleisië, 18 december 2006

- (v) 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.

Mexico, 31 juli 2007

1. The United Mexican States declares that it will apply Article VIII of the Protocol.
2. In accordance with Article XI, the United Mexican States will apply Alternative B in its entirety to all types of insolvency proceeding and that the time-period for the purposes of Article XI subparagraph 2) shall be the time-period expressly indicated by the Parties in the corresponding contract consistent with the applicable law, and shall commence not earlier than the time when the insolvency administrator or the debtor receives the creditor's request under Article XI subparagraph 2) of that Alternative.
3. For registration in respect of airframes or helicopters pertaining to aircraft of the United Mexican States or aircrafts to become a civil aircraft of the United Mexican States, the Mexican Aeronautical Record is the entry point to the International Registry, and in respect of aircraft engines, may be the entry point to said Registry.
4. In accordance with Article XXX:
 - a) The United Mexican States declares that it will apply Article VIII of the Protocol.

b) The United Mexican States will apply in its entirety the Alternative B of Article XI of the Protocol to all types of insolvency proceedings, consistent with the national public order.

Mongolië, 19 oktober 2006

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

Mongolia declares that it will apply Article VIII.

(ii) Form No. 21 (opt-in declarations under Article XXX(2) in respect of Article X providing for the application of the entirety of the latter)

Mongolia declares that it will 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) shall be not more than:

a) ten (10) working days and in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects); and

b) thirty (30) working days in respect of the remedies specified in Articles 13(1)(d) and (e) of the Convention (lease or management of the aircraft objects and the income thereof; and, sale and application of proceeds from aircraft objects).

(iii) 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 proceeding)

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

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

Mongolia declares that it will apply Article XII.

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

Mongolia declares that it will apply Article XIII.

Nederlanden, het Koninkrijk der, 17 mei 2010

While ratifying (...) the Protocol to the Convention on International Interests in Mobile Equipment on matters specific to aircraft equipment, done at Cape Town on 16 November 2001, the Kingdom of the Netherlands, for the Netherlands Antilles and Aruba, wishes to make the following declarations:

Declarations by the Kingdom of the Netherlands pursuant to Article XXX, paragraph 1, of the Protocol:

(A) the Netherlands Antilles and Aruba will apply Article VIII of the Protocol;

(B) the Netherlands Antilles and Aruba will apply Article XII of the Protocol;

(C) the Netherlands Antilles and Aruba will apply Article XIII of the Protocol.

Pursuant to Article XXX, paragraph 2, of the Protocol the Kingdom of the Netherlands declares that the Netherlands Antilles and Aruba will apply Article X in its entirety except for paragraph 5, and that the number of working days to be used for the purpose of the time limit laid down in Article X, paragraph 2, shall be in respect of the remedies specified in Article 13, paragraph 1, sub a, b and c, of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects) not more than ten (10) calendar days and in respect of the remedies specified in Article 13, paragraph 1, sub d and e, of the Convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) not more than thirty (30) calendar days.

Pursuant to Article XXIX of the Protocol, the Kingdom of the Netherlands declares that the Protocol is to apply to the following territorial units: the Netherlands Antilles and Aruba.

Nigeria, 26 maart 2007

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

The Federal Republic of Nigeria declares that it will apply Article VIII.

(ii) Form No. 21 (opt-in declaration XXX(2) in respect of Article X providing for the application of the entirety of the latter)

The Federal Republic of Nigeria declares that it will apply Article X 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) shall be in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects) not more than ten (10) calendar days and in respect of the remedies specified in Articles 13(1)(d) and (e) of the Convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) not more than thirty (30) calendar days.

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

The Federal Republic of Nigeria declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and that the waiting period for the purposes of Article XI(3) of that Alternative shall be thirty (30) calendar days.

- (iv) Form No. 26 (opt-in declaration under Article XXX(1) in respect of Article XII)
The Federal Republic of Nigeria declares that it will apply Article XII.
- (v) Form No. 27 (opt-in declaration under Article XXX(1) in respect of Article XIII)
The Federal Republic of Nigeria declares that it will apply Article XIII.

Oman, 21 maart 2005

- (i) Form No. 19 (opt-in declarations under Article XXX(1) in respect of Article VIII)
The Sultanate of Oman declares that it will apply Article VIII.
- (ii) Form No. 21 (opt-in declarations under Article XXX(2) in respect of Article X providing for the application of the entirety of the latter)
The Sultanate of Oman declares that it will apply Article X 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) shall be in respect of the remedies specified in Article 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects) not more than ten (10) calendar days and in respect of the remedies specified in Article 13(1)(d) and (e) of the Convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) not more than thirty (30) calendar days.
- (iii) 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 proceeding)
The Sultanate of Oman declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and that the waiting period for the purposes of Article XI(3) of that Alternative shall be sixty (60) calendar days.
- (iv) Form No. 26 (opt-in declarations under Article XXX(1) in respect of Article XII)
The Sultanate of Oman declares that it will apply Article XII.
- (v) Form No. 27 (opt-in declarations under Article XXX(1) in respect of Article XIII)
The Sultanate of Oman declares that it will apply Article XIII.
- (vi) Form No. 34 (general declarations under Article XXIX)
The Sultanate of Oman declares that the Aircraft Protocol is to apply to all its territorial units.

Pakistan, 22 januari 2004

- (i) Form No. 19 (opt-in declarations under Article XXX(1) in respect of Article VIII)
Pakistan declares that it will apply Article VIII.

- (ii) Form No. 21 (opt-in declarations under Article XXX(2) in respect of Article X providing for the application of the entirety of the latter) Pakistan declares that it will apply Article X 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) shall be in respect of the remedies specified in Article 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilisation of the aircraft objects) not more than ten (10) calendar days and in respect of the remedies specified in Article 13(1)(d) and (e) of the Convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) not more than thirty (30) calendar days.
- (iii) 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 proceeding) Pakistan declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and that the waiting period for the purposes of Article XI(3) of that Alternative shall be sixty days.
- (iv) Form No. 26 (opt-in declarations under Article XXX(1) in respect of Article XII) Pakistan declares that it will apply Article XII.
- (v) Form No. 27 (opt-in declarations under Article XXX(1) in respect of Article XIII) Pakistan declares that it will apply Article XIII.
- (vi) Form No. 34 (general declarations under Article XXIX) Pakistan declares that the Aircraft Protocol is to apply to all its territorial units.

Panama, 28 juli 2003

Pursuant to Article 56(1) of the Convention and Article XXXII of the Protocol and in accordance with its internal legal system, the Republic of Panama makes the following declarations in respect of Articles 13, 39, 50, 53 and 54 of the Convention and Article XXX of the Protocol:

1. In respect of Article 13(1)(a), (b) and (c) of the Convention, the words “speedy relief” shall be taken to mean seven (7) working days and, in respect of Article 13(1)(d), the same words shall be taken to mean twenty (20) working days.

2. In respect of Article 39 of the Convention, the following non-consensual rights and interests shall prevail over an international interest registered in accordance with the Convention:

- any sums due from or capable of being demanded from the debtor by way of salaries, pensions and other social security benefits and employment allowances owed in respect of employees of that debtor;

- any sums due from or capable of being levied from the debtor by way of fiscal and parafiscal contributions owed in respect of employees of that debtor;
- any sums due from or capable of being levied from the debtor, by way of taxes, duties or contributions payable to the Panamanian State or to the decentralised bodies that collect such revenue, in accordance with Panama's internal laws;
- the right of the Republic of Panama to arrest, attach or confiscate mobile equipment and aircraft equipment in the event of breach of the customs or criminal laws of the Republic of Panama.

The Republic of Panama declares that the rights or interests covered by this declaration shall prevail over an international interest registered before the date of the deposit of its instrument of ratification in respect of the Convention and the Protocol.

Likewise, it declares that none of the provisions of the Convention shall affect the right of the Panamanian State, a State entity, an intergovernmental organisation or a provider of public services to arrest or detain an object under the laws of the Republic of Panama for payment of amounts owed to such entity, organisation or provider directly relating to those services in respect of that object.

Finally, the Panamanian State states that these declarations do not pose an unacceptable risk to the holders of registered rights.

3. As to Article 50 of the Convention, the Convention and the Protocol shall not apply to any transaction which is an internal transaction in relation to the Republic of Panama with regard to all those types of objects falling within the sphere of application of the Convention or the Protocol.

4. As to Article 53 of the Convention, in accordance with the internal laws of the Republic of Panama, the relevant courts are as follows:

- ordinary courts;
- administrative courts;
- the civil aviation authority;
- those advisory bodies exercising supervisory functions in respect of financial institutions and insurance companies (superintendencias);
- arbitral tribunals,

subject to the powers vested in them by the internal laws of the Republic of Panama.

5. Pursuant to Article 54(2) of the Convention, any remedies available to the creditor under any provision of the Convention and the Protocol which are not there expressed to require application to the court may be exercised without leave of the court.

6. As to Article XXX(1) of the Protocol, it will apply Articles VIII, XII and XIII of the Protocol.

7. As to Article XXX(2) of the Protocol, it will apply Article X of the Protocol.

8. As to Article XXX(3) of the Protocol:

- (a) it will apply the entirety of Alternative A of Article XI of the Protocol to all types of insolvency proceeding, as defined in the Convention;
- (b) the waiting period under Article XI shall not exceed 60 days.

Rwanda, 28 januari 2010

- (i) Form No. 19 (opt-in declarations under Article XXX(1) in respect of Article VIII)
The Republic of Rwanda declares that it will apply Article VIII.
- (ii) Form No. 21 (opt-in declarations Article XXX(2) in respect of Article X providing for the application of the entirety of the latter)
The Republic of Rwanda declares that it will apply Article X 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) shall be in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects) not more than the number of working days equivalent to ten (10) calendar days and in respect of the remedies specified in Articles 13(1)(d) and (e) of the Convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) not more than the number of working days equivalent to thirty (30) calendar days.
- (iii) 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 proceeding)
The Republic of Rwanda declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and that the waiting period for the purposes of Article XI(3) of that Alternative shall be sixty (60) calendar days.
- (iv) Form No. 26 (opt-in declarations under Article XXX(1) in respect of Article XII)
The Republic of Rwanda declares that it will apply Article XII.
- (v) Form No. 27 (opt-in declaration under Article XXX(1) in respect of Article XIII)
The Republic of Rwanda declares that it will apply Article XIII.
- (vi) Form No. 34 (general declarations under Article XXIX)
The Republic of Rwanda declares that the Aircraft Protocol is to apply to all its territorial units.

Senegal, 9 januari 2006

- (i) Form No. 19 (opt-in declaration under Article XXX(1) in respect of Article VIII)
The Republic of Senegal declares that it will apply Article VIII.
- (ii) Form No. 21 (opt-in declaration under Article XXX(2) in respect of Article X providing for the application of the entirety of the latter)

The Republic of Senegal declares that it will apply Article X 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) relating to the remedies available to the creditor provided for in Articles 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft object and its value; possession, control or custody of the object; and immobilisation of the object) shall be no more than ten (10) calendar days and, relating to the remedies provided for in Article 13(1)(d) and (e) of the Convention (lease or, except where covered by sub-paragraphs (a) to (c), management of the aircraft object and the income therefrom) as well as sale and application of proceeds shall be no more than thirty (30) calendar days.

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

The Republic of Senegal declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and that the waiting period for the purposes of Article XI(3) of that Alternative shall be of thirty (30) calendar days.

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

The Republic of Senegal declares that it will apply Article XII.

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

The Republic of Senegal declares that it will apply Article XIII.

- (vi) Form No. 34 (general declaration under Article XXIX)

The Republic of Senegal declares that the Aircraft Protocol is to apply to all its territorial units.

Singapore, 28 januari 2009

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 proceeding)

Singapore declares that it will apply Article XI, Alternative A 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 thirty (30) calendar days.

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

Singapore declares that it will apply Article XII.

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

Singapore declares that it will apply Article XIII.

Singapore, 26 april 2010

Singapore declares that it will apply Article VIII.

[This (...) declaration will take effect on 1 November 2010.]

Tanzania, 24 juni 2009

On 24 June 2009, the United Republic of Tanzania notified Unidroit, pursuant to Article XXXIII(1) of the Aircraft Protocol, of the making of the following subsequent declarations. In accordance with Article XXXIII(2) of the Aircraft Protocol, these subsequent declarations will take effect on 1 January 2010.

- (i) Opt in declaration under Article XXX(1) in respect of Article VIII (Choice of Law)

The United Republic of Tanzania declares that it will apply Article VIII.

- (ii) Opt-in declaration XXX(2) in respect of Article X (Relief pending final determination)

The United Republic of Tanzania declares that it will apply Article X 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) shall be in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects) the number of working days equivalent to not more than ten (10) calendar days and in respect of the remedies specified in Articles 13(1) (d) and (e) of the Convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) the number of working days equivalent to not more than thirty (30) calendar days.

- (iii) Opt-in declaration 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)

The United Republic of Tanzania declares that it will apply Article XI, Alternative A 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 thirty (30) calendar days.

- (iv) Opt-in declaration under Article XXX(1) in respect of Article XII (Insolvency Assistance)

The United Republic of Tanzania declares that it will apply Article XII.

Opt-in declaration under Article XXX(1) in respect of Article XIII (Deregistration and Export Request Authorisation)

The United Republic of Tanzania declares that it will apply Article XIII.

Verenigd Koninkrijk, het, 16 november 2001

The United Kingdom, Member State of the European Community, declares that, in accordance with the Treaty establishing the European Community, the Community has competence with respect to certain matters governed by the Protocol. Signature of the Protocol on behalf of

the Community will be decided by the competent Community institution in accordance with the provisions of the Treaty.

Verenigde Arabische Emiraten, de, 29 april 2008

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

The United Arab Emirates declares that it will apply Article VIII.

- (ii) Form No. 21 (opt-in declarations under Article XXX(2) in respect of Article X providing for the application of the entirety of the latter)

The United Arab Emirates declares that it will apply Article X in its entirety and that the number of working days to be used for the purpose of the time limit laid down in Article X(2) shall be in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects) not more than ten (10) calendar days and in respect of the remedies specified in Article 13 (1) (d) and (e) of the Convention (lease or management of the aircraft objects and the income thereof and sale and application of proceeds from the aircraft equipment) not more than thirty (30) calendar days.

- (iii) 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 proceeding)

The United Arab Emirates declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and all other insolvency-related events and that waiting period for the purposes of Article XI(3) of that Alternative shall be sixty (60) calendar days.

- (iv) Form No. 26 (opt-in declarations under Article XXX(I) in respect of Article XII)

The United Arab Emirates declares that it will apply Article XII.

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

The United Arab Emirates declares that it will apply Article XIII.

- (vi) Form No. 28 (A) (opt-in declarations under Article XIX(1) providing for the designation of entry points for compulsory use as transmitters of registration information for airframes and helicopters, and for optional use as transmitters of registration information for aircraft engines, to the International Registry)

The United Arab Emirates declares that the General Civil Aviation Authority (“GCAA”), acting through its Aircraft Registry (Dubai/ Abu Dhabi) and/or Ince Al Jallaf & Co. (Dubai) as published by the GCAA, shall be the entry point(s) at which information required for registration in respect of airframes or helicopters to civil aircraft of the United Arab Emirates or aircraft to become a civil aircraft of the United Arab Emirates shall be transmitted, and in respect of aircraft engines may be transmitted, to the International Registry.

(vii) Form No. 34 (general declarations under Article XXIX)

The United Arab Emirates declares that the Aircraft Protocol is to apply to all its territorial units.

Verenigde Staten van Amerika, de, 28 oktober 2004

(1) Pursuant to Article XXX of the Protocol –

- (A) the United States will apply Article VIII of the Protocol;
- (B) the United States will apply Article XII of the Protocol; and
- (C) the United States will apply Article XIII of the Protocol.

(2) (A) Pursuant to Article XIX of the Protocol –

(i) the Federal Aviation Administration, acting through its Aircraft Registry, FAA Aeronautical Center, 6400 South MacArthur Boulevard, Oklahoma City, Oklahoma 73125, shall be the entry point at which information required for registration in respect of airframes or helicopters pertaining to civil aircraft of the United States or aircraft to become a civil aircraft of the United States shall be transmitted, and in respect of aircraft engines may be transmitted, to the International Registry; and

(ii) the requirements of chapter 441 of title 49, United States Code, and part 49 of title 14, Code of Federal Regulations, shall be fully complied with before such information is transmitted at the Federal Aviation Administration to the International Registry.

(B) For purposes of the designation in subparagraph (A) (i) and the requirements in subparagraph (A) (ii), information is transmitted at the Federal Aviation Administration in accordance with procedures established under United States law.

(C) In this paragraph, the term “civil aircraft of the United States” has the meaning given that term in section 40102(17) of title 49, United States Code.

Zuid-Afrika, 18 januari 2007

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

The Republic of South Africa declares that it will apply Article VIII.

(ii) Form No. 21 (opt-in declaration XXX(2) in respect of Article X providing for the application of the entirety of the latter)

The Republic of South Africa declares that it will apply Article X 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) shall be, in respect of the remedies specified in Articles 13(1)(a), (b) and (c) of the Convention (preservation of the aircraft objects and their value; possession, control or custody of the aircraft objects; and immobilization of the aircraft objects), not more than ten (10) calendar days and, in respect of the remedies specified in Articles 13(1)(d)–(e) of the Convention (lease or management of the aircraft objects and the

income thereof and sale and application of proceeds from the aircraft equipment), not more than thirty (30) calendar days.

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

The Republic of South Africa declares that it will apply Article XI, Alternative A in its entirety to all types of insolvency proceeding and that the waiting period for the purposes of Article XI(3) of that Alternative shall be thirty (30) calendar days.

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

The Republic of South Africa declares that it will apply Article XII.

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

The Republic of South Africa declares that it will apply Article XIII.

G. INWERKINGTREDING

Zie *Trb.* 2009, 86.

Het Verdrag zal ingevolge artikel 49, tweede lid, voor het Koninkrijk der Nederlanden op 1 september 2010 in werking treden.

Wat betreft het Koninkrijk der Nederlanden, zal het Verdrag alleen voor de Nederlandse Antillen en Aruba gelden.

Het Protocol, met Bijlage, zal ingevolge artikel XXVIII, tweede lid, voor het Koninkrijk der Nederlanden op 1 september 2010 in werking treden.

Wat betreft het Koninkrijk der Nederlanden, zal het Protocol, met Bijlage, alleen voor de Nederlandse Antillen en Aruba gelden.

J. VERWIJZINGEN

Zie *Trb.* 2009, 86.

Uitgegeven de *vijfde* juli 2010.

De Minister van Buitenlandse Zaken,

M. J. M. VERHAGEN