

CAPE TOWN CONVENTION IN THE UK:

DATE OF ENTRY INTO FORCE HAS BEEN CONFIRMED

Further to our briefing UK ratification of the Cape Town Convention: a welcome addition or a damp squib? in June 2015 (<http://www.hfw.com/UK-ratification-of-the-Cape-Town-Convention-June-2015>), we are pleased to confirm that the UK has taken the necessary steps to ratify the Convention on International Interests in Mobile Equipment and the related Protocol on Matters Specific to Aircraft Equipment (together, the Cape Town Convention) and that the same will come into force in the UK, as well as in Guernsey, the Cayman Islands and Gibraltar, on 1 November 2015. It is worth noting that each of these territories have different legal systems and the declarations made by the UK in respect of them vary and should be confirmed by local counsel in the context of specific transactions.

What does this mean in practice?

In practical terms, UK based stakeholders in the aviation industry and, in particular airlines and operators, need to now get ready to be able to comply with the Cape Town Convention and to administer registrations in earnest. This means that they will need to register as a Transacting User Entity (TUE) and identify an individual within the organisation who will act as an administrator

as soon as possible. Whilst registering as a TUE is unavoidable, the administration of registrations of international interests may be largely outsourced to a Professional User Entity (PUE) such as ourselves, which could substantially reduce the overall administrative burden on the TUE.

How can HFW help?

We are registered as an Administrator on the International Registry (both in our London and Sydney offices) and therefore are well placed to become a PUE. We have acted in that capacity for clients and have experience in handling registrations and related matters for them, including conducting searches on the International Registry and providing title reports and legal opinions.

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