

# UNDER THE AUSPICES OF THE U K FOUNDATION FOR INTERNATIONAL UNIFORM LAW

## The Cape Town Convention after One Year – participatory seminar on registrations, legal opinions, and contract practices

8 February 2007; 65 Fleet Street, London

In association with the Aviation Working Group, Aviareto, Ltd., and the Airfinance Journal

(Coordinating sponsor / host: Freshfields Bruckhaus Deringer)

This participatory seminar is the first major European program to review the Cape Town Convention since its entry into force. It builds upon a similar US seminar, and will tap into, and internationalise, the experience learned from the high volume of transactions in that jurisdiction and others (including Ireland) where Cape Town is in effect. Many of those involved in the development and practical implementation of the treaty will be involved in this program. All those with an interest in the treaty should attend.

The specific objective of the seminar is to review registration, legal opinions and contract practices after nearly one year of experience. The seminar will approach these items on an applied, not conceptual, basis.

How have things worked in practice?  
What has experience shown?  
What should practitioners know?

By extension, what should the International Registry Advisory Board (**IRAB**) take into account in advising Aviareto? What is prudent transactional and professional adviser practice? How should clients be advised?

The format of the seminar is designed to encourage participation. It will be divided into three sessions:

- (i) registration with the International Registry (**Registration**);
- (ii) legal opinions for transactions and registrations governed wholly or in part by the treaty (**Legal Opinions**); and
- (iii) contractual implications of the treaty, from commercial as well as legal perspectives (**Contract Practices**).

Each session will have one framework-setting presentation (**overview**), given by that session's chair (**session chair**) with one or more of the facilitators (**facilitators**) who will then work with the attending participants (**participants**) through the core session (**core session**). The core sessions will be largely unstructured, save for the review and discussion of basic materials setting out hypothetical examples, concrete problems and the like all couched in terms of transaction settings (**practice examples**).

The session chair and each facilitator will work with a subset of the participants (goal: 50 each) (**break-out exercise**), and will report back to the larger session. The participants are expected to take a leading role in the topic discussions (**topic discussions**) and may guide them in any direction they think appropriate. The conference chair (in consultation with the session chairs) will summarize the views of the seminar, outlining topics worth further analysis (and consideration at a possible future event in this series).

A program is attached. Please note that time allocations are approximate.

## THE CAPE TOWN CONVENTION AFTER ONE YEAR

The non-refundable fee payable by each participant for the seminar is GBP550, and **all net proceeds go to the U K Foundation for International Uniform Law**, a registered charity that supports the development of international commercial law, including the work of UNIDROIT. As this is a fund-raising event, all participants (and others) are encouraged to make supplemental contributions to the Foundation.

Registration for the seminar is limited to 200, on a first-in-time basis. *Please register for the seminar by e-mail to: [zelma.gilead@freshfields.com](mailto:zelma.gilead@freshfields.com)*

### PROGRAM

**08h30: Continental Breakfast**

**09h00: Chairman's Comments**

- A. Work of Foundation and UNIDROIT
- B. Overview and Objectives of Seminar

**09h30: Session I: Registration with the IR**

- ◆ Presentation on Current Practice / Issues (Session Chair)
- ◆ On-Line Current Practice Demonstration (Aviareto)
- ◆ Open Discussion / Break-Out (Facilitators / All Participants)
- ◆ Review, Summary, and Recommendations (Session and Conference Chairs)

**12h30: Lunch**

**13h30: Session II: Legal Opinions**

- ◆ Presentation on Practice/Current Issues (Session Chair)
- ◆ Open Discussion / Break-Out (Facilitators/All Participants)
- ◆ Review, Summary, and Recommendations (Session and Conference Chairs).

**15h45: Section III: Contract Practices**

- ◆ Presentation on Practice/Current Issues
- ◆ (Session Chair) Open Discussion / Break-Out (Facilitators/All Participants)
- ◆ Review, Summary, and Recommendations (Session and Conference Chairs).

**18h00: Cocktail Reception**

### CONFERENCE CHAIR:

- ◆ Professor Sir Roy Goode (Director of the Foundation; Author, Official Commentary; Chair, Cape Town Drafting Committee)

### SESSION CHAIRS:

- I. Jeffrey Wool (Secretary, AWG; Freshfields; Chair, IRAB)
- II. John Pritchard (Haight Gardner Holland & Knight) and
- III. Stephen McGairl (Director, Foundation; Coordinator, 'Contract Practices' under Cape Town)

### SPECIAL REGISTRY PARTICIPANT:

- ◆ Niall Greene (Managing Director, Aviareto)

### FACILITATORS:

- I. F. Scott Wilson (Pratt & Whitney; member, IRAB); Jack Gilchrist (DeBee and Gilchrist); Frank Polk/Scott McCreary (McAfee and Taft); and Robert Peregrin (Daugherty, Fowler, Peregrin & Haught).
- II. Robert Murphy (Freshfields Bruckhaus Deringer); Peter Thorne (Norton Rose); Dean Gerber/ John Karesh (Vedder Price); and Doug Adler/Louis Emery (Eximbank).
- III. Donald Gray (Cassels Brock & Blackwell); Seamus O'Cronin (A&L Goodbody's); James Tussing (Fulbright & Jaworski L.L.P); and Marty Jacobson (Simpson Thatcher).