

THE CAPETOWN CONVENTION AFTER 3.5 YEARS

Participatory Regional Seminar on Cape Town Convention & Aircraft Protocol covering Cape Town Basics, Ratification & Implementation Issues & Advanced Contract, Registration & Transaction Practices

17 - 18 November 2009, Singapore Aviation Academy, Singapore

Organised by the Aviation Working Group & its Legal Advisory Panel,
Hosted by the Civil Aviation Authority of Singapore in cooperation with the
International Civil Aviation Organization and the International Institute for the
Unification of Private Law



This Seminar is the first Asia-Pacific program on the Convention after its entry into force and the fifth major program arranged by the Aviation Working Group (AWG) and its Legal Advisory Panel (LAP). It will tap into the experiences gained from the high volume of transactions to date. Many of those involved in the development and practical implementation of the treaty will share their knowledge and experiences. This Seminar is designed for government officials, airlines, lenders, lessors and their counsel. All those with an interest in the treaty should attend.

The specific objectives of this Seminar are to assist States in ratification and implementation issues, review contract practices, registration and new issues that have arisen in actual transaction practice after 3.5 years of experience. This Seminar will approach these items on an applied, not conceptual, basis.

How have things worked in practice?

What has experience shown?

What should government officials & practitioners know?

By extension, what should the International Registry Advisory Board (**IRAB**) take into account in advising the Registrar? What is prudent transactional and professional adviser practice? How should clients be advised? The format of this Seminar will be participatory, not a series of presentations. It will be divided into five sessions:

- (i) introduction to the basics of the Cape Town Convention (**Basics**);
- (ii) ratification and implementation issues for Contracting States (**Implementation**);
- (iii) contractual implications of the treaty, from commercial as well as legal perspectives (**Advanced Contract Practices**);
- (iv) registration with the International Registry (**Registration**); and
- (v) closing a deal, legal opinions for transactions governed wholly or in part by the Convention (**Legal Issues**) and discussion of International Registry filings alone being sufficient, preemption and remedies.

Each of the last three sessions will have one framework-setting presentation, lasting one hour (**overview**). It will be 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 session**), and will report back to the larger session. The participants are expected to contribute topics for discussions (**discussion topics**) and may guide the session in any direction they think appropriate. The conference chairs will summarize the views of the Seminar, outlining topics worth further analysis (and consideration at a possible future event in this series).

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The non-refundable fee payable by each Seminar participant is USD 1000 except for government officials and airlines for whom the fee is USD 200. All net proceeds will go to the American Foundation for International Uniform Law, a charitable organisation that supports the development of international commercial law including the work of Unidroit.

Registration for the Seminar is limited to 100, on a first-in-time basis. Please register your interest by completing the attached Seminar Registration Form and e-mail it to jenny.lee@caas.gov.sg or fax to (65) 6545 7716.

PROGRAM

DAY ONE: TUESDAY NOVEMBER 17

- 08h30: Host's Welcome**
- 08h40: Opening Remarks by ICAO and UNIDROIT**
- 09h00: Chairmen's Comments**
- 09h15: Session I: Introduction to the Basics of the Cape Town Convention**
- 10h45: Session II: Implementation and Ratification Practice and Issues for Contracting States under the Cape Town Convention**
- 12h15: Lunch**
- 13h15: Session II (continue): The Implementation Experience**
- 14h30: Section III: Contract Practices**
- ◆ Presentation on Practice/Current Issues
 - ◆ (Session Chair) Open Discussion / Break-Out (Facilitators/All Participants)
 - ◆ Review, Summary, and Recommendations (Session and Seminar Chairs)
- 16h00: Session IV: Registration with the IR and Entry Point Issues**
- ◆ Presentation on Current Practice / Issues (Session Chair)
 - ◆ Status of the International Registry, implementation of software upgrades and new Regulations, plans for additional upgrades and transaction trends (Aviareto)
 - ◆ Open Discussion (Facilitators / All Participants)
 - ◆ Review, Summary, and Recommendations (Session and Seminar Chairs)
- 18h00: Cocktail Reception**

DAY TWO: WEDNESDAY NOVEMBER 18

- 08h45: Chairmen's Comments**
- 09h00: Session V: Legal Issues, Opinions on Deals/Implementation & Closings**
- ◆ Presentation on Practice/Current Issues (Session Chair)
 - ◆ Open Discussion / Break-Out (Facilitators/All Participants)
 - ◆ Review, Summary, and Recommendations (Session and Seminar Chairs)

11h00: Open Panel of All Chairs and Facilitators on Cape Town Convention and Aircraft Protocol / Questions from Participants

12h15: Chairmen's Closing Remarks

SEMINAR LEADERSHIP:

Jeffrey Wool, Aviation Working Group (AWG): Co-Chair
John Pritchard, Holland & Knight LLP (LAP): Co-Chair
José Angelo Estrella Faria, UNIDROIT
Silvério Espinola, ICAO
Tan Siew Huay, CAAS, Singapore
Jeffrey Klang, FAA, USA
Rob Cowan, Aviareto (Registrar of IR)
Donald Gray, Cassels Brock (LAP)
Frank Polk, McAfee and Taft (LAP)
James Tussing, Fulbright & Jaworski (LAP)
Catherine Duffy, A&L Goodbody (LAP)
David Walton, Aircastle (AWG)
Wang Ling, King & Wood (LAP)
Jonathon Mahony, BOCA (AWG)
Lok Vi Ming, Rodyk & Davidson (IRAB)

WEBSITES & BOOK ORDERS

Go to http://www.icao.int/icao/en/m_publications.html for orders of the Convention, the Protocol and the Consolidated Text of the Convention and Protocol

Go to www.unidroit.org

for free Convention and Protocol download &

for orders of Revised Edition (2008) of the Official Commentary on Cape Town Convention & Aircraft Protocol by Professor Sir Roy Goode [GBP150]

Go to http://www.icao.int/icao/en/leb/LEB_Admin_pkg.htm

for the ICAO administrative package to assist States to ratify the Cape Town Convention & Aircraft Protocol

Go to www.awg.aero

for information on the Cape Town Convention and AWG & AWG Legal Advisory Panel activity &

for orders of AWG Legal Advisory Panel Book 2 (2008) on Advanced Contract Practices under the Convention – Registrations, Legal Opinions and Closing Procedures [GBP50]

Go to http://www.icao.int/icao/en/leb/Intl_registry/ and www.aviareto.aero for information on the International Registry

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SEMINAR REGISTRATION FORM

Please email this form to jenny.lee@caas.gov.sg or fax to (65) 6545 7716, attention to Ms Jenny Lee.

Regional Seminar on Cape Town Convention & Protocol (Asia-Pacific Region)
Singapore Aviation Academy, 17 – 18 November 2009

Participant's Information

Full Name	:	*Mr/Mrs/Ms/Dr/Others: _____
Title / Designation	:	_____
Country	:	_____
Name & Address of Organisation	:	_____ _____ _____
Tel No(s)	:	_____ (o) _____ (m)
Fax	:	_____
Email	:	_____

*Please delete where necessary.

Method of Payment (for Registration Fee of USD 1000 or USD 200, as applicable)

<input type="checkbox"/> Bank Transfer Payment	:	Bank Name : Chase Bank (A credit advice indicating purpose of payment <u>must</u> be furnished)	: Bank Name : Chase Bank WA1-2105, 1201 3rd Ave Seattle, WA 98101-3266 Account Name : The American Foundation for International Uniform Law Account Number : 306-216958-3 Routing Number : 325070760 Swift Code : CHASUS33 Memo : Cape Town after 3.5 Years Seminar Currency : US\$
Any money transfer charges, service fees or bank related charges will be borne by the payor.			
<input type="checkbox"/> Bank Draft or International Money Order (In USD only)	:	Payable to The <i>American Foundation for International Uniform Law</i> . Mail bank draft or money order to: Chase Bank WA1-2105, 1201 3rd Ave, Suite 4800 Seattle, WA 98101-3266	

Flight Details[#]

Flight Number:	
Date of Arrival:	Time of Arrival:
Date of Departure:	Time of Departure:

[#] Please fax the flight itinerary together with this form.

Hotel Information

Name of Hotel	:	_____
Address	:	_____

Tel No(s)	:	_____
