

INTERNATIONAL REGISTRY ISSUES LIST

(prepared jointly by Aviareto and IRAB, August 2007)

The following pages set out a list of International Registry ('IR') system enhancements currently in development or under consideration by Aviareto. The list was developed in close consultation with the IR Advisory Board ('IRAB').

The issues listed and their priorities* have, in the main, resulted from feedback from the user community to IRAB. Aviareto and IRAB encourage users and user groups to submit proposals for changes, recognising, however, that each change must be justified on its merits and ranked in priority with other proposals. There may also be budgetary constraints on the implementation of changes.

All changes are processed through the IR's change control process. Where the Regulations and Procedures or the fees structure are impacted, the approval of ICAO, the Supervisory Authority ('SA'), is required.

It is intended that changes under consideration and their progress through the Aviareto process will be published and regularly updated on the Aviareto website (www.aviareto.aero).

Please note that, as the list is active and forward-looking, it does not summarise the numerous changes that have been made to date. Aviareto maintains such a summary.

IMPORTANT NOTE: An overarching objective of the IR is to constantly increase system speed, while maintaining the highest standard of reliability. That objective is taken into account in all developments to the IR, and is a key criterion against which such developments and their implementation are evaluated. A second continuing objective is the progressive improvement of the skills and services offered by the help desk and the speed with which assistance is provided. These two evergreen objectives are not specified on the list.

* These priorities, which reflect the views of IRAB, are listed only to highlight the perceived relative importance of the issues. They should not be viewed as fixed. Nor will the list necessarily reflect the timing or ordering of system changes given the matters that Aviareto, as Registrar, must take into account (e.g., cost, complexity, and/or legal and regulatory considerations). What can be said is that these issues move towards descending levels of importance, all things considered

Priority	Issue	Proposed Solution	Status
1	The IR priority search functions should allow for wild card searches and the issuing of a certificate showing the result of the search.	Design, test, and implement.	Change to be included in Search Path facility (an improved method of searching) to be loaded Q4/ 2007.
2	IR system will not allow the same party to be counterparties in a registration, i.e., a seller and the buyer. This happens with the same trustee acting for different beneficial parties.	Permit that action.	Change expected in Q3/2007.
3	The ability to effect contemplated amendments, and to identify such amendments in priority search certificates, is limited.	Make the needed changes to the IR to permit such actions.	IRAB to develop legal analysis – for consideration. Will be proposed for next CESAIR* meeting.
4	The Regulations require the mandatory information in the drop down lists (manufacturer name, type description and MSN) but free texting continues where such information is present.	Insert a “pop-up” to reinforce Regulation 5.1. In due course, link to ‘descriptive documents’ to be produced by the manufacturers.	Aviareto in discussions with AWG on amendment to Framework Memorandum, and with ICAO re approvals, each needed for descriptive documents.
5	The proper party to discharge an assigned international interest (‘underlying interest’) will depend on whether an assignment is absolute (complete transfer) or by way of security (reverts to assignor after satisfaction of the debt secured), and, in the case of the latter, the agreement negotiated between the parties. The system does not capture these possibilities, and, as a result, does not reflect commercial reality and practicalities.	The system should permit the assignor and assignee to select which party discharges the underlying interest. For simplicity, the default should be to the assignee, i.e., a box should be checked if the assignor is to discharge.	Legal elements and IR security implications under review. IRAB to develop legal analysis – for consideration. Will be proposed for next CESAIR meeting.

* That meeting is planned for 5/7 November 2007. ‘CESAIR’ is the Commission of Experts of the Supervisory Authority of the International Registry. It was established in accordance with Article XVII(4) of the Aircraft Protocol to advise ICAO in connection with the latter’s function as SA of the IR. CESAIR is a governmental grouping. Aviareto (and AWG) have been observers on CESAIR. CESAIR has already met once, 6/8 November 2006, where it amended the Regulations and Procedures.

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6	There is no page on which a user can review the listing of all the objects on which it has been authorised to work.	Create such a screen for users and/or enhance the status box.	Change expected in Q4/2007.
7	The IR is case sensitive on searching.	Remove case sensitivity.	Change expected in Q4/ 2007.
8	Install a facility for a TUE to give general authorisation for a PUE to work on all objects in which the TUE has an interest.	Make the change.	Under consideration by Aviareto (as a potential 2008 change).
9	Install a facility for a TUE to give authorisation for multiple PUEs to work on one or more objects in which the TUE has an interest.	Make the change.	Under consideration by Aviareto (as a potential 2008 change).
10	For assignments and subordinations involving an unregistered underlying interest, the system does not in all cases permit the parties to add free text. Where such entry is possible (i) the system does not provide a format for such entry, and (ii) the fact of that entry is not identified on the priority search certificate.	Create a strict format for any such free text entry, to the extent required by Regulations 5.5(d) and 5.7(d), and ensure that any such entry appears on the priority search certificate.	IRAB to develop legal analysis – for consideration. Will be proposed for next CESAIR meeting.
11	Use of SPE facility is extending beyond that contemplated.	Expand permitted use to a 'controlled entity' with a fee attached.	Under consideration by Aviareto (as a potential 2008 change). IRAB assessing legal issues. Will be proposed for next CESAIR meeting.
12	A search should only be USD 35 for an airframe and its associated engines. Currently the system charges USD 35 for each aircraft object unless there has been a prior registration against the aircraft and its associated engines.	Ensure that the fees charged are consistent with the Regulations and Procedures.	The financial aspect of this item falls within the regulatory purview, and must be evaluated in that context.

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13	The IR does not allow a transacting user entity to be removed from the email notification list for specific aircraft objects. Many such entities – particularly sellers – will not wish to receive notices in respect of asset in which they no longer have an interest.	Provide that facility.	Under consideration by Aviareto (as a potential 2008 change). Will be proposed for next CESAIR meeting (given relation to Regulation 6.3).
14	The registration screen does not allow multiple named parties to be entered for a number of registrations.	Allow multiple named parties to be entered on all registrations.	Under consideration by Aviareto (as a potential 2008 change).
15	The Regulation requirement (USD 100 for a 'registration session') is not followed when different parties initiate parts of the covered registrations. Double payment results.*	Permit more than one entity to initiate a registration during a registration session to the extent required by the Regulations and Procedures.	The financial aspect of this item falls within the regulatory purview, and must be evaluated in that context.
16	Having only one administrator builds in excessive dependency on a single person.	Consider a change permitting a back-up administrator or more flexible / efficient delegation process.	Under consideration by Aviareto (as a potential 2008 change). Will be proposed for next CESAIR meeting (given relation to Regulations 2.11 and 4.1).
17	Buyers cannot subordinate their interests, as permitted by the Convention.	Permit that action.	Under consideration by Aviareto (as a potential 2008 change).
18	After making a registration, it is necessary to engage in a separate search rather than being prompted or able to make an immediate priority search against the object subject to that registration.	After a registration is completed, a box should be checked permitting a priority search against the object subject to that registration – without requiring the re-insertion of the search data.	Under consideration by Aviareto (as a potential 2008 change).

* Examples: buyer initiates registration of contract of sale of airframe and two engines from seller to buyer and pays \$100 (seller consents). Lender then initiates international interest registration against airframe and two engines and should not have to pay any more money, yet the system requires an additional payment of \$100.

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19	There is currently no Q&A on the IR addressing legal items, which, if available, would add a further element of efficiency.	Prepare such a Q&A for presentation to the SA. That body could determine the appropriate function of such a legal Q&A, and, if it wishes, direct that associated action be taken.	IRAB to develop and frequently asked questions on legal topics – for consideration. Will be proposed for next CESAIR meeting.
20	Registry should issue an automatic email to the parties when an account is blocked or disabled.	Put that procedure in place.	Change expected in Q4/ 2007.
21	The current “reapply” process requires that the applicant uses exactly the same entry in all respects as the original thus frequently giving rise to the need to make an entirely new application at the appropriate full fee.	Reduce the level of sensitivity to enable substantially similar details to be entered or permit entry of new data.	Under consideration by Aviareto (as a potential 2008 change).
22	The dropdown menu for transaction entities will jump only to the first letter which is keyed in.	Make a change to jump down to (for example) the first three matching letters typed.	Under consideration by Aviareto (as a potential 2008 change).
23	After selecting the manufacturer and model number, the page updates and refreshes but puts you back at the top of the page.	When the page refreshes, it should be programmed to bring you back to the same spot.	Under consideration by Aviareto (as a potential 2008 change).
24	Regulation 5.3(d)(ii) intended that the ‘aircraft nationality and registration marks’ be the one field (not two fields: ‘aircraft nationality’ and ‘registry marks’). Yet, on the IR there is the option of selecting the state of registry and aircraft nationality of an airframe or helicopter. They are the same, thus causing confusion.	Make the correction - so that there are these two fields (i) ‘state of registry’, and (ii) ‘registration mark’.	Under consideration by Aviareto (as a potential 2008 change). Will be proposed for next CESAIR meeting.
25	The name of a transacting user entity, once used, cannot be deleted and re-used, which might be needed.*	Permit that action, subject to security considerations.	Under consideration by Aviareto (as a potential 2008 change).

* Example: A special purpose entity should have been a normal transacting user entity; that correction, sought by the parties, cannot be made.