

**CTC COMPLIANCE INDEX  
SCORE CONFIRMATION NOTICE****4 May 2023****Contracting State:** Kenya**Category:** Low (current score: 53.5)**Variable(s) assessed:** Variable B (current score: 1.5)**Scoring Action:** [Confirm](#)

On 28 March 2023, the High Court ruled that a lessor was not in contempt when it repossessed an aircraft despite an injunction restricting it from doing so since the lessee had first failed to abide by the terms of such injunction. The High Court further ruled that the lessor was free to exercise remedies as a result of lessee's failure, but did not address CTC issues. Due to such lifting of the injunction, the lessor's pending application for review of the injunction on, *inter alia*, CTC grounds was withdrawn. As of the date hereof, the lessor has repossessed the aircraft and no further administrative or judicial action is being pursued with respect to the aircraft or the temporary injunction.

The High Court order granting the temporary injunction restraining the lessor from exercising CTC remedies was incorporated into Kenya's score pursuant to the semi-annual compliance index update issued on 3 April 2023 and noted in Watchlist Notice Update No. 1 dated 3 April 2023. As the order permitting the lessor to exercise remedies was based on the lessee's violation of the terms of the injunction, and did not address CTC compliance issues arising out of the granting of the injunction, Kenya's existing variable B score has been confirmed.

**CTC compliance watchlist status:**

Kenya has been removed from the CTC compliance index watchlist as the compliance-related action has concluded.