

CAPE TOWN TREATY REGIONAL SEMINAR

Civil Aviation Authority Compliance with
Cape Town—the U.S. Experience

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Cape Town—the U.S. Experience

- Introduction—Background/Highlights
- U.S. Ratification Process
- Implementing Legislation
- Federal Aviation Regulations
- Conclusion

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Background

- Active since 1995
- Article 9, Uniform Commercial Code
- Bankruptcy Code
- Global Cooperation/Coordination

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U.S. Ratification Process

- Diplomatic Conference—Nov. 16, 2001
- Briefings to all interested parties
- U.S. signed treaty—May 9, 2003
- Treaty sent to Senate—Nov. 5, 2003
- Senate Hearings—April 1, 2004
(same day C.T. Conv. enters into force)

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U.S. Ratification Process (cont.)

- Briefings to both Houses on legislation
- Senate approves treaty—July 22, 2004
- C.T. Implement'n Act signed—Aug 9, 2004
- C.T. ratification deposited—Oct. 28, 2004
- FAR changes promulgated—Jan 3, 2005
- Notice—Registry practices—Feb 17, 2006
- C.T. entry into force—March 1, 2006

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Declarations

- Art. 39—non-consensual rights
- Art. 54—Creditor's remedies
- Art. VIII—Choice of law
- Art. XII—Insolvency assistance
- Art. XIII—IDERA
- Art. XIX—FAA Registry as entry point

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Implementing Legislation

- 49 U.S.C. chapter 441
- Geneva and Cape Town treaties
- Engines—changed 750 hp to 550 hp
- FAA as authorizing entry point

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Aviation Regulations

- FAR 47.13—Board signatures not required
- FAR 47.37—discharge of ranking interests
- FAR 47.47—export requirements
- FAR 49.61—FAA as entry point
- FAR 49.63—general requirements
- AC Form 8050-135 with documents

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FAA Aircraft Registry Workload (2016)

- 313,547 aircraft on FAA Registry
- 15,137 eligible for International Registry
- 15,000+ Entry Point Filing Forms
- 12,856 International registrations
- >1500 prospective interest filings

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FAA Aircraft Registry Workload (2016)

- 244,257 registrations/recordations
- 114,031 aircraft certs. of registration
- 14,421 airworthiness docs/applications
- 34,607 phone/written inquiries
- 120 employees to meet this demand

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Compliance Issues

- IDERA
- Deregistration
- Entry Points
- RANJA

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Conclusion

- Goal is universal ratification of Cape Town
- All of us have an interest in this goal
- Benefit from all of our experiences
- Working together we will have success