

[LEGAL NOTICE NO. 4]

Civil Aviation (Convention on International Interests in Mobile Equipment) Decree 2012
(DECREE NO. 59 OF 2012)

Civil Aviation (Convention on International Interests in Mobile Equipment) Regulations 2013

IN exercise of the powers conferred upon me by section 8 of the Civil Aviation (Convention on International Interests in Mobile Equipment) Decree 2012, I hereby make these Regulations—

Citation and commencement

1.—(1) These Regulations may be cited as the Civil Aviation (Convention on International Interests in Mobile Equipment) Regulations 2013.

(2) These Regulations shall come into force on the date of its publication in the *Gazette*.

Interpretation

2.—(1) In these Regulations, unless a contrary intention appears—

“Convention” means the Convention on International Interests in Mobile Equipment 2001 also known as the “Cape Town Convention”, the Protocol to the Convention on International Interests in Mobile Equipment in Matters Specific to Air Craft Equipment made at Cape Town on 16 November 2001 [the “Protocol”] ; and

“mobile equipment” means an aircraft object of a category to which Article 2 of the Convention applies.

(2) All other words and expressions used in these Regulations are accorded the same meaning as used in the Convention as may be amended from time to time.

Airports Fiji Limited

3.—(1) Airports Fiji Limited must—

(a) in the event of default as provided in Article 11 of the Convention to the extent that a debtor has at any time so agreed and subject to any declaration that may be made by the Government of Fiji under Article 54 of the Convention, permit a creditor or an authorised party to enter into property under Airport Fiji Limited’s ownership, possession or control and take possession or control of and remove any aircraft or other mobile equipment charged to it and remove the same;

(b) recognise the international interest or prospective international interest of and any exercise by a creditor or authorised party of any of its rights under an agreement over an aircraft or other mobile equipment upon receipt of written notice from that creditor or authorised party and must not impede or interfere with the exercise of those rights; and

- (c) give reasonable written notice to a creditor or authorised party with an international interest in an aircraft or other mobile equipment of any steps it intends to take in relation to that aircraft or an aircraft to which that other mobile equipment is attached pursuant to section 13 of the Civil Aviation Reform Act 1999 and give the creditor or authorised party an opportunity of not less than 56 days to remedy such default.

Made this 15th day of January 2013.

A. SAYED-KHAIYUM
Attorney-General and Minister for
Justice and Anti-Corruption, Public Enterprises,
Communications, Civil Aviation and Tourism, Industry and Trade