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Cape Town Convention and Aircraft Protocol Official Commentary – Fifth Edition (2022)

by Professor Sir Roy Goode C.B.E., Q.C.

The *Official Commentary* on the Convention on International Interests in Mobile Equipment and Aircraft Protocol, produced by Professor Sir Roy Goode pursuant to a Resolution of the Cape Town Diplomatic Conference, was published in 2002, and quickly became the definitive guide to the Convention and the Aircraft Protocol. It was last revised in 2019. Much has changed in the intervening three years. The Convention has now been ratified by 83 States and the Protocol by 80 States, together in each case with the European Community (now the European Union). The experience of the aviation industry based on large numbers of transactions registered under the Convention and Protocol, which reached one million registrations in January 2019, has revealed a host of new issues which needed to be addressed. In addition the International Registry for aircraft objects has been progressively updated, and is the subject of new regulations which entered into force in February 2022. In this fifth edition Sir Roy has extensively revised and expanded the Official Commentary to take account of these and other important developments and to expand the analysis of a range of issues. The *Official Commentary: Fifth Edition* is an essential guide for all those interested or involved in aviation finance and leasing.



Sir Roy Goode has also produced an Official Commentary on the Convention and Luxembourg Protocol as mandated by the Diplomatic Conference in Luxembourg in 2007, an Official Commentary on the Convention and Space Protocol adopted by a Diplomatic Conference in Berlin in 2012, and an Official Commentary on the Convention and MAC Protocol adopted by a Diplomatic Conference in Pretoria in 2019, copies of which are available for purchase from UNIDROIT. Electronic versions of all these Official Commentaries are being prepared.

The electronic version of *the Official Commentary: Fifth Edition* is intended to promote the efficient use of the Commentary. It includes all the corrections in the *Corrigendum* to the soft cover edition. Users are encouraged to consult the Official Commentary as necessary to better understand the operation of the Cape Town Convention and the Aircraft Protocol.

Professor Sir Roy Goode, CBE, QC, is Emeritus Professor of Law in the University of Oxford, Emeritus Fellow of St John's College, Oxford, and a Fellow of the British Academy. As Chairman of the UNIDROIT Study Group that initiated this project, Rapporteur to the three Joint Sessions of the UNIDROIT Committee of Governmental Experts and the ICAO Legal Sub-Committee, and Chairman of the Drafting Committee at the Cape Town Diplomatic Conference, Sir Roy is therefore uniquely qualified to fulfil the mandate given to him by the Diplomatic Conference to prepare an Official Commentary. This fifth Edition results from intensive re-examination of the texts in the light of the major developments since the 2019 revision.

**Official Commentary on the Convention on International Interests in
Mobile Equipment and the Protocol thereto on Matters specific to Aircraft
Equipment (Fifth Edition)**

by Professor Sir Roy Goode CBE, QC
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