

**Information and Advisory Notice No. 17**  
Issue No: 7 Dated 2 January 2017

## **Registration of Aircraft**

### **Introduction**

This Notice is issued to serve as guidance material for the registration of aircraft in Malta under the provisions of the Aircraft Registration Act, 2010, Cap. 503, hereinafter called *the "Act"*, as amended by Act LII of 2016 of the Laws of Malta.

The amendment provides further protection to qualified holders of international, interests, security interests, secured mortgages and ownership rights of aircraft and engines.

It introduces new fees and penalties found in Schedule 5 and Schedule 6 of the Act.

### **1 Applicable Legislation and Requirements**

- Malta as an ICAO contracting State follows ICAO Annex 7 Standard and Recommended Practices (SARPs). These SARPs can be accessed from the following link:  
[http://www.icao.int/eshop/pub/anx\\_info/an07\\_info\\_en.pdf](http://www.icao.int/eshop/pub/anx_info/an07_info_en.pdf)
- The Registration of aircraft is covered by Maltese laws, particularly:
  - a) [the Air Navigation Order 1990- Chapter 499.09](#)
  - b) [the Aircraft Registration Act 2010 – Chapter 503](#) as amended by [Act LII of 2016](#)
  - c) [Legal Notice 537 of 2010 entitled Aircraft Registration \(International Registrant\) Regulations, 2010](#)
  - d) [Legal Notice 186 of 2011 entitled Aircraft Registration \(Approved Jurisdictions\) Regulations, 2011](#)

### **2 The Salient Points of the Air Registration Act 2010**

#### **2.1 Eligibility for Registration of aircraft in Malta**

##### **For any aircraft:**

- The Government of Malta;
- A citizen of Malta or a citizen of a Member State of the E.U. or of an EEA State, or Switzerland, having a place of residence or business in Malta, the E.U., the EEA, or Switzerland, including a person sharing in the ownership of such aircraft by virtue
- Of the Community of Acquests subsisting between such person and a citizen as described above in whose name the aircraft is registered;

- An undertaking formed and existing in accordance with the laws of Malta, of a Member State of the E.U., of an EEA State, or of Switzerland and having its registered office, central administration and principal place of business within Malta, or the E.U., or the EEA, or Switzerland, whereof not less than 50% of the undertaking is owned and effectively controlled by the Government of Malta, or by any Member State of the E.U. or by persons referred to above, whether directly or indirectly through one or more intermediate undertakings.

**For private aircraft only:**

- A natural person who is a citizen of, or an undertaking established in a jurisdiction approved by the Minister by the Legal Notice 'Aircraft Registrations (Approved Jurisdictions) Regulations, 2011', for the purposes of the Act (termed "International Registrant" in the Act), provided it -
  - has legal capacity to own / operate an aircraft in terms of law;
  - appoints a local resident agent to represent the owner in Malta for matters concerning the registration of the aircraft;
  - Complies with applicable regulations/guidelines.

**2.2 Cape Town Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment**

Malta has acceded to the **Cape Town Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment (the "Cape Town Treaty", or the "Treaty")** on 1<sup>st</sup> October, 2010 and these came into force in Malta on 1<sup>st</sup> February, 2011. The law implementing the Cape Town Treaty and its Aircraft Protocol is found in the First Schedule to the Aircraft Registration Act, 2010.

The Treaty lays down rules in respect of the recognition, enforcement and priority status of interests in mobile equipment. It also provides for the establishment of an *international interest* which is proprietary in character and which encompasses security agreements, title reservation agreements, leasing agreements and their equivalent. International Interests are registered in the International Registry, established under the Treaty. It is an online, notice-based registry. More information on the international registry can be obtained from [www.internationalregistry.aero](http://www.internationalregistry.aero)

Holders of an international interest are granted extensive remedies under the Treaty in the event of the debtor's default or insolvency. It also establishes the right for the registrant, (as debtor) to grant an Irrevocable De-Registration and Export Request Authorization (IDERA) in the form stipulated in the **Second Schedule to the Aircraft Registration Act, 2010**, in favour of an authorised party (or its certified designee) to procure the de-registration and export of the aircraft. Where an IDERA has been issued in accordance with the Second Schedule to the Act and it has been submitted for recordation at the Civil Aviation Directorate (hereinafter called CAD), the Director General (DGCA) shall record the details of such IDERA, or any other Power of Attorney (PoA), irrevocable or otherwise, as the case may be.

## Application of the Treaty

The treaty applies to the following aircraft and aircraft equipment:

- **Airframes that are type certificated to transport, i.e. those having:**
  - a. At least eight (8) persons including crew; or
  - b. Goods in excess of 2750 kilograms (6050 pounds)
  
- **Helicopters that are type certificated to transport, i.e. those having:**
  - a. At least five (5) persons including crew; or goods in excess of 450 kilograms (990 pounds)
  - b. Jet propulsion aircraft engines with at least 1750 pounds of thrust or its equivalent, and
  - c. Turbine-powered or Piston-powered aircraft engines with at least 550 rated take-off horsepower or its equivalent.

The Treaty applies to situations where, at the time of the conclusion of the agreement creating or providing for the international interest or a contract of sale, the debtor or seller, (as applicable) is situated in a Cape Town Convention State. Moreover, The Treaty also applies to a helicopter, or to an airframe pertaining to an aircraft registered in an aircraft register of a Cape Town Convention State which is the State of Registry.

### 2.3 Fees and Penalties

Fees and charges for the registration of aircraft are charged under the provisions of article 17 found in the Fifth Schedule of the Aircraft Registration Act as amended by Act LII of 2016. The following is an extract from the applicable **Schedule 5**:

1. The following charges are payable to the Director General for the issue of a Certificate of Registration in respect of an aircraft:

Aircraft in respect of which application is made:

	Charge Payable
Aeroplanes having an empty weight not exceeding 150 kg, a wing area of not less than 10 square metres, and a wing loading not exceeding 10kg per square meter at empty weight and which are designed to carry not more than 2 persons.....	€60
Any other aircraft whose maximum take-off mass:	
does not exceed 750 kg .....	€80
exceeds 750 kg but not 2730 kg .....	€150
exceeds 2730 kg but not 5700 kg .....	€220
exceeds 5700 kg but not 15 tonnes .....	€300
exceeds 15 tonnes but not 50 tonnes .....	€450
exceeds 50 tonnes .....	€750

2. Upon making an application for a revised Certificate of Registration, the following charges shall apply:

- (i) if due to change of address, or other technical details, a fee of €50;

(ii) if due to change of legal ownership of the aircraft, a charge equal to the 50% of the fee as would be payable for the issue of the initial Certificate;

(iii) if for a replacement Certificate of registration or aircraft de-registration, the registered owner of the aircraft shall pay €50.

#### Other Fees

3. Upon making an application for the reservation of a customised out of sequence registration mark a charge of €250, in addition to the registration fee, shall be payable to the Director General.

4. Upon the registration of an Irrevocable De-registration and Export Request Authorisation (I.D.E.R.A.) a charge of €100 shall be payable to the Director General.

5. Upon the registration of a mortgage in terms of the Act, a charge of €500 shall be payable to the Director General.

6. Upon the registration of an amendment mortgage in terms of the Act, a charge of €250 shall be payable to the Director General.

#### Penalties

**Penalties are sanctioned under the provisions of Article 61 of the Act** by TM CAD. The penalties to be paid amount up to amounts found in the second column of Schedule 6:

First Column	Second Column
Provision	Penalty
	€
Article 11(1)(a)	2,000
Article 11(1)(b)	2,000
Article 11(1)(c)	2,000
Article 11(1)(d)	2,000
Article 13(1)(c)	5,000
Article 13(1)(g)	5,000
Article 13(1)(h)	5,000
Article 16(1)	5,000
Article 16(2)(a)	5,000
Article 16(2)(b)	5,000
Article 20(3)	2,500
<b>Article 20(4)</b>	2,500

### 3 Certificate of Registration Application

### 3.1 Application Form

Registration of aircraft can be applied for, by lodging the designated application form to CAD. This form can be downloaded from the Transport Malta website [Transport Malta - Aircraft Registration Forms & Notices](#) or can be obtained upon request from the Civil Aviation Directorate offices in Luqa Airport or from the Airworthiness Inspectorate. Such application should be accompanied by the appropriate and necessary documentation as requested by CAD officials for the expeditious process of the application stage to take place.

This Form can be also used as an application for De-registering of aircraft as well as changing the details in the aircraft register, such as change of ownership or change of address.

### 3.2 International Registrant (applicable only to private aircraft)

**Legal Notice 186 of 2011** entitled **Aircraft Registration (Approved Jurisdictions) Regulations, 2011** lists the countries as 'Approved Jurisdictions' as referred to in Article 2 and 6 of the ARA (2010). Article 6 refers to citizens of approved jurisdictions or undertakings established in approved jurisdictions qualified to register aircraft for private use (Part-NCO/NCC).

An international owner seeking to register Maltese aircraft in his own name is required to produce the following documentation to the CAD:-

An original **Declaration of Appointment of Resident Agent** (which serves as a Power of Attorney) duly notarised and legalised by Apostille, in the form established in the Schedule to the Aircraft Registration (International Registrant) Regulations, 2010 - LN 537 of 2010. This form is reproduced in **Appendix IV** to this Notice.

Where an applicant seeking to register an aircraft in its name, is a body corporate established outside Malta, it is required to produce the following documentation to the TM CAD:

1. An original **Legal Opinion** duly notarised and legalised by a lawyer qualified in the jurisdiction where the international owner is established, and issued as of recent date (i.e. not earlier than 3 months). The Legal Opinion should follow the format in **Appendix I** to this Notice;
2. An original **Certificate of Good Standing** issued by the competent authority or company, as of recent date, referable to the international owner;
3. A Certified True Copy of the valid **Memorandum and Articles of Association (M&As)** of the international owner, being duly certified by a lawyer or notary public.

#### Resident Agent (applicable only to private aircraft)

When an application is submitted by an International Registrant from an approved jurisdiction, the applicant is required to appoint, prior to the registration of an aircraft, a

Resident Agent who shall be based in Malta. The International Registrant shall ensure that it has a validly appointed Resident Agent at all times.

The Resident Agent shall act as the channel of communication and middle-man between the International Registrant and the Director General Civil Aviation and other Maltese government departments and authorities. A full description of the powers and duties of the Resident Agent can be found in Article 22 of the Aircraft Registration Act 2010.

Under Maltese law, a Resident Agent must be habitually resident in Malta, not interdicted or incapacitated or is an undischarged bankrupt; has not been convicted of any of the crimes affecting public trust or of theft or of fraud or money laundering or of knowingly receiving property obtained by theft or fraud. He must also satisfy the Director General that he is a person capable of carrying out the functions as explained under the Aircraft Registration Act 2010.

The appointed Resident Agent has to accept such an appointment in writing.

### 3.3 Due Diligence checks

As part of the application process TM CAD would review the documentation associated with the registration to check compliance with the Act.

Proof of ownership would be demonstrated by:

- A **Certified True Copy of the Bill of Sale** or other proof of ownership of the aircraft. If such a document is originating from outside the EU, it should be also notarized and apostilled.

Temporary titles would be demonstrated by:

- A Certified True Copy of the lease or operating agreement if the aircraft is leased;

Before the aircraft can be registered in Malta, TM CAD has to receive direct notification/certificate of deregistration from the competent authority of the country of export/transfer. De-registration should be timed such that de-registration and registration are made back to back as much as possible.

A Statement on registered mortgages or similar encumbrances as the case may be shall be submitted with the application.

Any signatories would require a Power of Attorney, company resolution or evidence of authority for signatory/ies of application form or any other legal document.

Where an applicant seeking to register an aircraft under a temporary title and the owner is a body corporate established outside Malta, it is required to produce the following documentation to the CAD:

1. An original **Legal Opinion** duly notarised and legalised by a lawyer qualified in the jurisdiction where the owner is established, and issued as of recent date (i.e. not earlier than 3 months). The Legal Opinion should follow the format in **Appendix I** to this Notice;
2. An original **Certificate of Good Standing** issued by the competent authority or company, as of recent date, referable to the international owner;

3. A Certified True Copy of the valid **Memorandum and Articles of Association (M&As)** of the international owner, being duly certified by a lawyer or notary public.

Since each case is treated on a case by case basis, documentation relative to the particular case in question may be requested for submission by CAD officials, as necessary, for the satisfactory completion and registration of the aircraft on the national register.

### **3.4 Lease and Operating Agreements**

One main document which has to be submitted for aircraft registration is the Aircraft Lease/Operating Agreement document. In some cases it is called the Aircraft Operating and Management Agreement. This is a private agreement done between the parties, generally the owner of the aircraft (lessor) and the operator of the aircraft (the lessee). There can be multiple parties involved in the lease agreement where the lessee can sub-

lease the aircraft to another company. The most important issues one is to look out for in the Lease Agreement are the following:

- a) Such an agreement must be in English. If it is in any other language, then it must be accompanied by a certified translation
- b) The date as to when the agreement was made and the duration of the agreement.
- c) The agreement must be a Certified True Copy. If the agreement is from outside Europe it should be legalised and apostilled.
- d) The signatures on the agreement must be authenticated according to the list of signatories. This also applies to the initials on each page of the document.
- e) Reference must only be made to the Maltese registration marks and not to the previous registration marks of the aircraft.
- f) The agreement/s shall have clear delineation of responsibilities of the parties involved pursuant to the applicable laws and regulations.
- g) The agreement/s shall contain clear suspension/termination clauses.

### **3.5 Certificate of Insurance**

Aviation insurance is insurance coverage geared specifically to the operation of aircraft and the risks involved in aviation. Aviation insurance policies are distinctly different from those for other areas of transportation and tend to incorporate aviation terminology, as well as terminology, limits and clauses specific to aviation insurance.

**This is a document issued by an insurance company, certifying that an insurance policy has been bought and shows an abstract of the most important provisions of the insurance contract. Such certificate must hold a valid date and signature, between the insurer and the insured, the policy holder.**

Malta being a European Union Member State, abides by Regulation ([EC\) No 785/2004](#) on insurance requirements for air carriers and aircraft operators.

## **4 Issuance of the Certificate of Registration**

The Certificate of Registration is issued by TM CAD upon satisfactory completion of the application process and the payment of all the applicable fees.

## 5 Registration of Mortgages

A Maltese registered aircraft or any share therein, may be made a security for any debt or other obligation, by means of a mortgage instrument, duly signed by the mortgagor, in favour of the mortgagee, in the presence of, and attested by, a witness (or witnesses) in the form:

- **AITP-R01 Appendix 11 Mortgage Form for Body Corporate; and**
- **AITP-R01 Appendix 12 Mortgage Form for Individual Owner;**

as applicable.

To enter a mortgage onto the national aircraft register the applicant is to submit the following documents at the CAD offices:

(i) **A mortgage form**, in original, duly completed and signed by the mortgagor and attested by a witness. The signature on the mortgage form must be notarised and legalised, if executed outside Malta;

(ii) If the mortgage form is being signed by an authorised attorney in Malta, an **original Power of Attorney**, granted by the mortgagor, duly notarised and legalised, is also required;

(iii) A copy of corporate authorities (by way of **company resolution**) authorising the granting of the mortgage over the relevant Maltese aircraft and authorising the named attorney or attorneys to sign the mortgage form in Malta.

On the production of a mortgage for registration in the prescribed form, the Director General shall record it in the national aircraft register. Mortgages shall be recorded by the Director General in the order of time in which they are produced to him for that purpose, and the Director General shall by memorandum under his/her hand notify on each mortgage that it has been recorded by him, stating the date and time of such record.

Any changes to the mortgages details may be made on the register requested by any authorized party can be done by written form to the Director General.

*This is without prejudice to the applicability of the provisions of the Cape Town Convention in International Interests in Mobile Equipment and its Aircraft Protocol as substantively represented in the First Schedule to the Aircraft Registration Act, 2010.*

## 6 Irrevocable Deregistration & Export Request Authorisation (IDERA)

Article 13(2) of the Aircraft Registration Act, 2010 and Article XII of the Protocol to the Cape Town Convention (as represented in Article 25 of the First Schedule to the Aircraft

Registration Act, 2010) provides for the irrevocable authorisation to de-register aircraft (IDERA) by the registered owner to a third party.

#### a) Requirements to Lodge an IDERA

- The IDERA has to be submitted to the CAD in the format as per the *Second Schedule*, referenced to in *Article 25 of the Aircraft Registration Act (2010)*. **Appendix II** to this IAN is a template of the IDERA form transcribed from the Act.
- The IDERA should be signed by the registrant or such person duly authorised to act for and on behalf of the registrant or the aircraft owner. 2 original copies of the IDERA should be lodged with CAD.
- IDERAs must be submitted in duplicate and it shall be agreed between the CAD and the authorised party, when signed and dated. One copy will be returned to such authorised party and one copy kept by the CAD.
- The signature on the IDERA shall be notarised and legalised by Apostille if the IDERA is executed outside Malta and be accompanied by sufficient evidence that the person signing the IDERA has due authority to bind the registered owner by his/her signature.
- A notarial certification that the person signing the IDERA is a duly authorised signatory or a Certified True Copy of a Company Resolution appointing the relevant signatory to sign the IDERA on its behalf constitutes sufficient evidence.
- Signed scanned copies are accepted by email until the originals are submitted.

#### b) Revocation of an IDERA

Revocation of an IDERA, where recorded by the Civil Aviation Directorate, requires the written consent of the authorised party. A request to cancel an aircraft registration due to its export from Malta can only be made by the last registered owner, the last owner of record, the foreign purchaser when supported by evidence of ownership, or by the authorized party under an Irrevocable De-Registration and Export Request Authorization.

Revocation of an IDERA must be made in the form, which is reproduced in **Appendix III** to this Notice.

### 7 Prohibitory Notice on the Register

When a creditor has registered an international interest in the International Registry the debtor (being the registrant and, or the owner of the aircraft) can execute and file a Prohibitory Notice, in the form **AITP-R01 Appendix 9**.

When a Prohibitory Notice is entered in the National Aircraft Register, no security interest in the Aircraft Register shall be recorded until such Prohibitory Notice is withdrawn by the creditor, using form **AITP-R01 Appendix 7**.

### 8 Annotation of Engines on the Register

An owner can register his/her rights in the aircraft or engines attached to the aircraft as well as spare engines including when:

- held by a trustee, for a single interest or more;

- held by one or more owners;
- divided into fractional shares or otherwise; or
- held under an agreement with reservation of ownership rights or under conditions affecting title in terms of article 31.

This can be done by submitting a compiled Form **AITP-R01 Appendix 15**. This form has to be signed by:

**The owner or the authorised signatory/ies on behalf of the owner**

The signature/s should be notarised and legalised by Apostille if the consent is executed outside Malta, and must be accompanied by sufficient evidence that the person signing the Form AITP-R01 Appendix 15, as specified above, has due authority to bind the registrant by his/her signature.

**9 Transcript of Registry**

Requests for Transcripts of a particular aircraft can be requested directly to CAD officials. The Transcripts will be sent to the applicant signed and stamped on Form AITP-R01 Appendix 13.

**Only details authorised by the registrant and the ARA (2010) will be provided in a standard form.** The above-mentioned transcript will only purport details which have been authorised for publication by the registrant and can be duly divulged according to Maltese law.

**10 Related Information**

**Aircraft Radio Licence**

Aircraft Radio Licences are issued by the Malta Communications Authority in accordance with Electronic Communications (Regulation) Act (Chapter 399 of the Laws of Malta). The application form for an Aircraft Radio Station License can be obtained from the following website:

[http://mca.org.mt/sites/default/files/pageattachments/AIRCRAFT%20RADIO%20STATION%20LICENCE%20APPLICATION\\_0.pdf](http://mca.org.mt/sites/default/files/pageattachments/AIRCRAFT%20RADIO%20STATION%20LICENCE%20APPLICATION_0.pdf)

**Owner's Fireproof Plate**

The owner's fireproof plate shall be fixed to permanent structure of the aircraft. It shall contain the following details:

- LEGAL OWNER'S NAME
- ADDRESS OF OWNER
- REGISTRATION MARKS

**Registration Marks**

Registration Marks shall be in accordance with Schedule 4 Part B of the [Aircraft Registration Act 2010](#).

## **Aircraft certification**

There are two main EU Regulations mainly regulating the initial and continuing airworthiness of an aircraft. These are the following:

- **European Union Regulation (EU) No 748/2012 lays down implementing rules for the airworthiness and environmental certification of aircraft and related products, parts and appliances, as well as for the certification of design and production organizations.**
- **Regulation (EU) No 1321/2014 applies to the continuing airworthiness of aircraft and aeronautical products, parts and appliances, and on the approval of organisations and personnel involved in these tasks.**

Further information and guidance material on aircraft certification can be found in the following documents:

IAN 02 - Application for Certificate of Airworthiness

IAN 03 – Maintenance Programme Development and Approval

IAN 04 – Repairs and Changes to Type Design

IAN 05 – (EC) No 1702/2003 Permit to Fly

IAN 08 – Fuel Tank Safety Training and Related CDCCL's

IAN 09 – Recommendations for the Issue of ARC

IAN 10 – Part-M Subpart I and M.A.711(b) Privileges

IAN 11 – Part-M and Light Aircraft

IAN 12 – PMA Acceptance Policy

IAN 13 – Use of Mogas in Light Aircraft

IAN 16 – Airworthiness Directives

They can be downloaded from TM website: [TM Portal - Information & Advisory Notices](#)

In the case of Annex II aircraft (aircraft not covered by (EC) No 216/2008, known as the Basic Regulation), these are covered by the Air navigation Order and the Malta Civil Airworthiness Requirements.

**APPENDIX I TO IAN 17- Legal Opinion Template**

**ON LETTERHEAD OF LAW FIRM**

TO WHOM IT MAY CONCERN

I have been asked to provide this legal opinion under my capacity as qualified attorney at law in **INSERT COUNTRY** in connection with the legal status of the **INSERT COUNTRY** company styled "**INSERT NAME**" (hereinafter called the "Company") having company number **INSERT**

I have acted as legal counsel for the incorporation of the Company and have reviewed the Articles of Incorporation of the Company and all corporate authorities and I can verify the following:

A. The Company has been duly incorporated on the **INSERT DATE** and is presently in good standing. The Company enjoys legal personality in terms of the law of **INSERT COUNTRY OF INCORPORATION**.

The Company has its registered office at **INSERT ADDRESS**.

B. The Company has issued **INSERT AMOUNT** shares; that is the total of its authorized stock. According to the Articles of Incorporation of the Company, the Company has the power, *inter alia*, to own and operate aircraft and register mortgages over such aircraft.

C. The Board of Directors consists of the following persons:-

**...INSERT .....**  
**...INSERT .....**

The Company is legally bound and generally legally represented by sole signature of any director/officer or by any attorney in fact of the Company duly appointed by a power of attorney issued by the Company and signed by any director/officer.

D. According to the Articles of Incorporation the Company has the power to appoint agents all over the world. Consequently the Company has also the ability to appoint resident agents in Malta for the purpose of registering in the Maltese National Aircraft Register, an aircraft to be acquired by the Company. I hereby confirm that the Declaration of Appointment of Resident Agent dated **INSERT DATE** executed by **INSERT NAME** on behalf of the Company has been validly executed and is binding on the Company.

E. I furthermore hereby confirm that the corporate authorities of the Company **dated INSERT resolving** to enter into a loan agreement with **INSERT MORTGAGEE BANK**, to grant a mortgage over the aircraft **INSERT NAME** having Serial Number **INSERT** to be acquired by the Company in favour of the **INSERT MORTGAGEE BANK** and to appoint special attorneys of the Company for the aforementioned purposes are valid and binding on the Company.

F. I enclose herewith a certified copy of the Articles of Incorporation of the Company.

Yours faithfully,

**INSERT NAME**

APPENDIX II TO IAN 17 - IDERA Template

Form of Irrevocable De-Registration and Export Request Authorisation pursuant to Article 25 of the Aircraft Registration Act 2010

Annex referred to in Article 25 of the First Schedule relating to the accession by Malta of The Convention on International Interests in Mobile Equipment and the Protocol thereto on Matters Specific to Aircraft

Dated: [redacted]

To: National Aircraft Register

Re: Irrevocable De-Registration and Export Request Authorisation

The undersigned is the registered [operator/owner/IDERA holder] of the [insert the airframe/helicopter manufacturer name and model number] bearing manufacturer's serial number [insert manufacturer's serial number] and registration [INSERT REGISTRATION NUMBER/MARK] (together with all installed, incorporated or attached accessories, parts and equipment, the "aircraft").

This instrument is an irrevocable de-registration and export request authorisation issued by the undersigned in favour of [insert name of creditor] (the "authorised party") under the authority of (1) Article 25 of the Schedule relating to the ratification by Malta of the Convention on International Interests in Mobile Equipment and the Protocol thereto on Matters Specific to Aircraft Equipment (the latter instrument, the "Protocol"), and (2) Article XIII of the Protocol. In accordance with these Articles, the undersigned hereby requests:

- (a) recognition that the authorised party or the person it certifies as its designee is the sole person entitled to:
  - (i) procure the de-registration of the aircraft from the National Aircraft Register maintained by the national registry authority for the purposes of Chapter III of the Convention on International Civil Aviation, signed at Chicago, on 7 December 1944; and
  - (ii) procure the export and physical transfer of the aircraft from Malta;

And (b) confirmation that the authorised party or the person it certifies as its designee may take the action specified in clause (a) above on written demand without the consent of the undersigned and that, upon such demand, the authorities in Malta shall co-operate with the authorized party with a view to the speedy completion of such action.

The rights in favour of the authorised party established by this instrument may not be revoked by the undersigned without the written consent of the authorised party.

Please acknowledge your agreement to this request and its terms by appropriate notation in the space provided below and lodging this instrument in National Aircraft Register.

[insert name of operator/owner/IDERA holder]

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Agreed to and lodged this

Dated:

By: [insert name of signatory]

Its: [insert title of signatory]

<b>IDERA No:</b>	<b>Date:</b>
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**Note: Please fill out the highlighted grey fields accordingly.**

**APPENDIX III TO IAN 17- IDERA Revocation Template**

**Irrevocable De-Registration and Export Request Authorisation**

Annex referred to in Article 25 of the First Schedule relating to the accession by Malta of The Convention on International Interests in Mobile Equipment and the Protocol thereto on Matters Specific to Aircraft Equipment.

Dated: .....

To: National Aircraft Register

Re: Revocation of Irrevocable De-Registration and Export Request Authorisation

The undersigned is the registered operator/ owner/ IDERA holder <sup>(a)</sup> of the ..... <sup>(b)</sup>  
bearing manufacturer's serial number ..... <sup>(c)</sup> and registration  
..... <sup>(d)</sup> (together with all installed, incorporated or attached accessories,  
parts and equipment, the "aircraft"), wishes to revoke the IDERA No ..... <sup>(e)</sup> dated  
..... <sup>(f)</sup> as recorded on the Malta Aircraft Register.

Please acknowledge your agreement to this request and its terms by appropriate notation in the space provided below and lodging the revocation of this instrument in the National Aircraft Register.

..... <sup>(g)</sup>

Agreed to and lodged this ..... <sup>(h)</sup>

By:

Stamp:

IDERA No:	Date:
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**Note:**

Please submit with this application, the original Irrevocable De-Registration and Export Request Authorisation as stamped by the Authority and returned to the Authorised Party or his agent is attached to this application.

**a) Delete as applicable, b) Insert the Manufacturer's Name and Model Number, c) Insert the Manufacturer's serial number, d) Insert the Registration Number & Mark, e) Insert IDERA No, f) Insert Date of IDERA, g) Insert Name of Owner/Operator, h) Insert Date of Signature**

**APPENDIX IV TO IAN 17- DECLARATION OF APPOINTMENT OF RESIDENT AGENT Template  
DECLARATION OF APPOINTMENT OF RESIDENT AGENT**

1. (hereinafter referred to as the "International Registrant"), HEREBY APPOINTS

Name and Surname of International Registrant if individual, or full undertaking name if body corporate. .....
Nationality and place of habitual residence of International Registrant, if individual, or registered office address if body corporate. ..... ..... .....

..... of ..... (hereinafter referred to as the "Resident Agent"), as its resident agent for the purposes of article 19 of the Aircraft Registration Act, 2010 (hereinafter referred to as "the Act").

2. It is understood and accepted that it shall be the function of ..... as resident agent to:

- (a) act as a channel of communication between the International Registrant and the Maltese government departments and authorities;
- (b) sign and file with the Maltese government departments and authorities, on behalf of the International Registrant, declarations and forms required in terms of Maltese Law;
- (c) act as a judicial representative of the international registrant for judicial proceedings in Malta, and for the purpose of the Aircraft Registration Act, any official notice sent to the resident agent at his last registered address shall be deemed to have been duly received by and notified to the international registrant.

3. .... is hereby empowered to:

- (a) sign and file on behalf of the International Registrant, applications, declarations, notices, returns and any other document required in terms of Maltese Law;
- (b) apply, on behalf of the International Registrant, for the registration of an aircraft under the Act and for the closure of register of an aircraft, and to perform any ancillary act in relation thereto;
- (c) pay, on behalf of the International Registrant, all relative fees and taxes payable in terms of Maltese law;
- (d) do, on behalf of the International Registrant, all other things as may be considered conducive or ancillary for the registration of aircraft under the Act or for the maintenance of such registration;
- (e) do, on behalf of the International Registrant, all other things as may be considered conducive or ancillary for the cancellation of the registration of aircraft under the Act;
- (f) authenticate documents issued by the International Registrant;
- (g) receive formal notification on behalf of the International Registrant when notifications are required in relation to an aircraft or any mortgage thereon, under the provisions of the Act or any agreement.

4. The Resident Agent may appoint in writing any other person to act on his behalf provided that in doing so, the Resident Agent shall not be relinquishing the functions, powers and responsibilities duly conferred on him.

5. The International Registrant is aware of the provisions of Maltese law that, *inter alia*, an international registrant in whose name an aircraft is, or has been registered under the Act, or in whose name a certificate of registration of aircraft has been issued, shall be deemed to have submitted to the jurisdiction of the Maltese courts in terms of article 742(1)(g) of the Code of Organisation and Civil Procedure for any action in connection with the aircraft while it is or was so registered.

The undersigned declares that he is empowered to sign this declaration in the name of the International Registrant.

Signed this ..... day of ..... of the year ..... by ..... in the presence of .....

\_\_\_\_\_ Signature of Declarant