

EXTRAORDINARY



# GOVERNMENT OF FIJI GAZETTE

PUBLISHED BY AUTHORITY OF THE FIJI GOVERNMENT

Vol. 14

TUESDAY, 15th JANUARY 2013

No. 6

[54]

## GOVERNMENT OF FIJI

CIVIL AVIATION (AMENDMENT) DECREE 2013  
(DECREE NO. 2 OF 2013)

IN exercise of the powers vested in me as the President of the Republic of Fiji and the Commander in Chief of the Republic of Fiji Military Forces by virtue of the Executive Authority of Fiji Decree 2009, I hereby make the following Decree—

*Short title and commencement*

(1) This Decree may be cited as the Civil Aviation (Amendment) Decree 2013 and shall come into force on the date of its publication in the *Gazette*.

(2) The Civil Aviation Act (Cap. 174) is referred to as the “Principal Act”.

*Section 3 amended*

2. Section 3 of the Principal Act is amended—

(i) in the heading by inserting the words “Cape Town Convention” after the words “Chicago Convention,”;

(ii) in subsection (1) by inserting the following new paragraph after paragraph (b)—

“(c) for carrying out and giving effect to the Convention on International Interests in Mobile Equipment made at Cape Town on 16 November 2001, 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 and the Civil Aviation (Convention on International Interests in Mobile Equipment) Decree 2012 hereinafter collectively referred to as the “Cape Town Convention”.”

(iii) in subsection (2)(a) by inserting, after the word “aircraft”, the words “and the recognition and enforcement of international interests therein as provided for by the Cape Town Convention”.

*New part inserted*

3. The Principal Act is amended by inserting the following new part after Part II—

“PART IIA—RECOGNITION OF THE INTERNATIONAL REGISTRY

*Definition*

7C.—(1) In this Part, unless the context otherwise requires—

“Cape Town Convention” means the Convention on International Interests in Mobile Equipment 2001 and its Protocol and any amendment of that Convention and its Protocol made in accordance with that Convention and the Civil Aviation (Convention on International Interests in Mobile Equipment) Decree 2012 debtor as defined in Article 1 of the Cape Town Convention  
International Registry means the International Registry as defined in Article 1 of the Cape Town Convention;

“Decree” means the Civil Aviation (Convention on International Interests in Mobile Equipment) Decree 2012 (Decree No.59 of 2012);

“mobile equipment” means an aircraft object of a category to which Article 2 of the Cape Town Convention applies; and

“Protocol” means the Aircraft Protocol to the Cape Town Convention;

*Recognition of International Interests*

7D.—(1) The Authority shall recognise and give full effect in Fiji to international interests duly registered with the International Registry, and if requested to record an international interest shall record the particulars of the same in the Register in respect of any aircraft registered in Fiji.

(2) Further to subsection (1), the Authority may assist with any necessary steps and provide such information as is required by the Cape Town Convention to enable and facilitate registration on the International Register. For the avoidance of doubt, nothing in the Decree, this Act or any regulation made hereunder shall be construed as requiring or designating the Authority as the sole or mandatory entry point through which information required for registration may be transmitted to the International Registry.

GIVEN under my hand this 15th day of January 2013.

EPELI NAILATIKAU  
President of the Republic of Fiji