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**Amendment No. 1**  
**20/11/20**

# **REGULATIONS AND PROCEDURES FOR THE INTERNATIONAL REGISTRY**

**EIGHTH EDITION — 2019**

## **AMENDMENT NO. 1**

1. To incorporate this amendment, replace the following existing pages with the attached new pages dated 20/11/20:

- |                       |                               |
|-----------------------|-------------------------------|
| a) Pages (v) and (vi) | — Table of Contents           |
| b) Page R-25          | — Regulations                 |
| c) Pages R-39 to R-46 | — Appendix to the Regulations |

2. Record the entry of this amendment on page (iii).

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- (a) the debtor identified in that registration;
- (b) the holder of any other registered right or interest or the buyer in a registered sale relating to that object; or
- (c) any other person or entity that substantiates a potential adverse effect as a result of that registration to the reasonable satisfaction of the Registrar.

The foregoing shall not apply to the extent, in the Registrar's view, such provision of documentary evidence is prevented by applicable law.

### **CLOSING ROOM<sup>®</sup> facility<sup>1</sup>**

5.21 The International Registry may provide a CLOSING ROOM<sup>®</sup> facility on its website permitting registry users to assemble the information required to effect a registration in advance of completing such registration and, in the case of multiple registrations in respect of one or more aircraft objects, to establish the chronological order of such registrations. The Appendix to these Regulations describes the CLOSING ROOM<sup>®</sup> facility, including the conditions and procedures for:

- (a) assembling information prior to any registration taking effect;
- (b) entering registrations into the International Registry data base containing such information; and
- (c) making such registrations searchable, and establishing the order, date and time of receipt of such registrations by the International Registry;

and in the cases of (b) and (c) above, for the purposes of Articles 18 (4) and 19 of the Convention.

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1. The term CLOSING ROOM<sup>®</sup> is a registered trademark of Aviareto Limited.

## **Section 6**

### **CONFIRMATION AND NOTICE OF REGISTRATION**

6.1 In this Section, the term “registration” includes, where appropriate, the amendment, extension or discharge of a registration or transfer of the right to consent to the discharge of a registration.

6.2 The International Registry shall send prompt electronic confirmation of a registration to the named parties, the registering person and all other persons entitled to receive notice of that registration under Section 5. The receipt or non-receipt of such confirmation does not imply that the registration has or has not been effected, that fact being determinable solely by means of a priority search.

6.3 When a registration is effected relating to an aircraft object, an electronic notice thereof shall be sent to the named parties and registering person of any other registration which has not been discharged relating to that object.

6.4 The confirmation and notice referred to in Sections 6.2 and 6.3, respectively, shall include the registered information specified in Section 5 relating thereto and the file number of the registration.

6.5 Named parties may electronically elect not to receive the notices referred to in Section 6.3. Such elections shall require digital signatures. Registry users may request not to receive electronic notices in respect of one or more aircraft objects.

## **Section 7**

### **SEARCHES**

7.1 Searches of the International Registry may be performed against:

- (a) a manufacturer’s name;

# **Appendix**

## **CLOSING ROOM<sup>®</sup> Facility**

*(Section 5.21 of these Regulations)*

### **1. General**

1.1 The International Registry may include a CLOSING ROOM<sup>®</sup> facility permitting a registry user entity to create a file that may be used to assemble the information required under these Regulations to effect one or more registrations in advance of completing such registrations. For the purposes of this Appendix, such information is referred to as a “prepositioned registration” or “prepositioned registrations”, and the action to assemble such information is referred to as an action to “preposition a registration” or to “preposition registrations”.

1.2 A CLOSING ROOM<sup>®</sup> is not searchable for the purposes of Articles 18 (4) and 19 of the Convention. A prepositioned registration has no legal effect under the Convention or the Protocol until such time as such prepositioned registration has been entered into the International Registry data base in accordance with paragraph 7.2 of this Appendix. Once a prepositioned registration has been entered into the International Registry data base in accordance with paragraph 7.2, it shall be regarded as “registered” (as such term is defined in Article 1 (bb) of the Convention).

1.3 This Appendix describes the conditions and procedures for establishing a CLOSING ROOM<sup>®</sup>, assembling and managing the information required to preposition registrations in the CLOSING ROOM<sup>®</sup>, consenting to prepositioned registrations and releasing such prepositioned registrations for entry into the International Registry data base so as to become registrations that are searchable and valid under the Convention and the Protocol.

### **2. Establishing a CLOSING ROOM<sup>®</sup>**

2.1 A registry user entity may establish a CLOSING ROOM<sup>®</sup> by following the directions on the International Registry website.

2.2 The registry user entity who establishes a CLOSING ROOM<sup>®</sup>, the “coordinating entity”, shall have the responsibilities for the CLOSING ROOM<sup>®</sup> described in this Appendix.

2.3 Each CLOSING ROOM<sup>®</sup> shall have a unique identifier automatically assigned by the International Registry, the “CLOSING ROOM<sup>®</sup> ID”, and registry users may search for a CLOSING ROOM<sup>®</sup> on the International Registry website using the CLOSING ROOM<sup>®</sup> ID.

2.4 The coordinating entity may extinguish a CLOSING ROOM<sup>®</sup> at any time prior to taking the action described in paragraph 7.1.

### **3. Assembling and managing CLOSING ROOM<sup>®</sup> registrations**

3.1 The coordinating entity shall be responsible for assembling and managing all the information required to preposition registrations in the CLOSING ROOM<sup>®</sup>. The registry users of the coordinating entity, and no other persons, will be entitled to enter or modify information in the CLOSING ROOM<sup>®</sup>. References in this Appendix to action by a coordinating entity shall mean action on its behalf by any of its registry users.

3.2 In order to preposition a registration, the coordinating entity must enter all of the information for that category of registration specified in the applicable section of these Regulations. For example, all the information specified in Section 5.3 of these Regulations shall be required to preposition a registration of an international interest. In addition, if any aircraft object is the subject of more than one prepositioned registration, the coordinating entity shall specify the chronological order in which, when released, such prepositioned registrations are to be entered into the International Registry data base.

3.3 After the coordinating entity has completed assembling the information required to effect all of the prepositioned registrations to be included in the CLOSING ROOM<sup>®</sup>, following the directions on the International Registry website, it may suspend the ability to amend or enter further registration information (referred to as designating the CLOSING ROOM<sup>®</sup> as “locked”). The locked status of the CLOSING



ROOM<sup>®</sup> will (a) initiate the actions described in paragraph 4.1, and (b) signify that all the information for the prepositioned registrations in the CLOSING ROOM<sup>®</sup> has been assembled and that the CLOSING ROOM<sup>®</sup> is available for each registry user entity whose consent is required under these Regulations to take one of the actions specified in paragraph 4.2.

3.4 A coordinating entity may at any time (whether or not a CLOSING ROOM<sup>®</sup> has been locked) provide any registry user entity and any registry user with “read only” access to such CLOSING ROOM<sup>®</sup> to read, but not modify, the information contained therein by following the directions on the International Registry website for identifying such persons and establishing such access. Once the CLOSING ROOM<sup>®</sup> is locked, each registry user entity whose consent to the registrations prepositioned in the CLOSING ROOM<sup>®</sup> is required under these Regulations, shall automatically have read only access to such CLOSING ROOM<sup>®</sup>. The registry user entities and registry users with access rights to the CLOSING ROOM<sup>®</sup> are referred to as the “CLOSING ROOM<sup>®</sup> participants”.

3.5 A coordinating entity may transfer its rights and responsibilities to another registry user entity as its replacement. Such a transfer shall take effect when the administrator for the transferee registry user entity gives its acceptance in the manner specified on the International Registry website, and shall have the effect specified in paragraphs 5.1 and 5.2.

#### **4. Consenting to prepositioned registrations**

4.1 When the coordinating entity designates the status of a CLOSING ROOM<sup>®</sup> as locked, the International Registry shall issue to the CLOSING ROOM<sup>®</sup> participants a notice:

- (a) identifying the coordinating entity;
- (b) providing access to the CLOSING ROOM<sup>®</sup> and setting forth the CLOSING ROOM<sup>®</sup> ID;

- (c) stating that the CLOSING ROOM<sup>®</sup> is available for each registry user entity whose consent is required under these Regulations to take the action specified in paragraph 4.2;
- (d) stating the period of time (as provided by paragraph 5.3) that the CLOSING ROOM<sup>®</sup> will remain accessible for the purpose of providing consent or reviewing information; and
- (e) attaching a “pre-registration report” that shows all prepositioned registrations, including the specified chronological order of any multiple registrations for an aircraft object.

4.2 After the notice described in paragraph 4.1 has been issued, each registry user entity whose consent is required under these Regulations may consent or decline to consent to such prepositioned registration by following the directions on the International Registry website.

4.3 A consent to a prepositioned registration may be revoked at any time prior to release of that prepositioned registration for entry into the International Registry data base, as described in paragraph 7.1.

4.4 A registry user entity who has declined to give a consent or has revoked a consent shall be entitled to reverse that action at any time prior to the release of its prepositioned registration for entry into the International Registry data base, as described in paragraph 7.1.

4.5 Revoking an authorization under which a consent to a prepositioned registration was given, including an authorization provided to a professional user, will have the effect of revoking such consent. In order to reverse that action, the registry user entity must either consent to such prepositioned registration, or re-issue its authorization to another registry user entity who then consents to such prepositioned registration, with such action occurring in each case at any time prior to the release of such prepositioned registration for entry into the International Registry data base, as described in paragraph 7.1.

4.6 As provided in paragraph 7.1, none of the prepositioned registrations in a CLOSING ROOM<sup>®</sup> may be released into the International Registry data base unless all such prepositioned registrations have been consented to by or for each registry user entity whose consent is required by these Regulations, and such consents are in effect at the time that the coordinating entity issues a release instruction (as defined in paragraph 7.1).

## **5. Making changes to prepositioned registrations**

5.1 Although a CLOSING ROOM<sup>®</sup> may not be modified while it is locked (except as provided in paragraph 8), the coordinating entity may make changes to the prepositioned registrations, whether on its initiative or in response to requests by CLOSING ROOM<sup>®</sup> participants, or transfer its responsibility as coordinating entity to another registry user entity, by following the directions on the International Registry website for reinstating the ability to change or enter further information (referred to as designating the CLOSING ROOM<sup>®</sup> as “unlocked”).

5.2 If a CLOSING ROOM<sup>®</sup> is unlocked, all consents to prepositioned registrations will be cancelled automatically, the CLOSING ROOM<sup>®</sup> will revert to the status described in paragraph 3, and the International Registry will issue a notice to all the CLOSING ROOM<sup>®</sup> participants advising that the CLOSING ROOM<sup>®</sup> has been unlocked and that the pre-registration report issued with respect to the CLOSING ROOM<sup>®</sup> has lapsed. The coordinating entity may then change the prepositioned registrations and lock the CLOSING ROOM<sup>®</sup> with such changes in place, at which time the provisions of paragraphs 4.1 to 4.4 shall apply.

5.3 If the prepositioned registrations in a CLOSING ROOM<sup>®</sup> have not been released for entry into the International Registry data base, as described in paragraph 7.1, prior to the expiry of ten (10) calendar days following the date that the CLOSING ROOM<sup>®</sup> is locked, the CLOSING ROOM<sup>®</sup> shall become unlocked automatically, with the effect described in paragraph 5.2. Notwithstanding the foregoing, the coordinating entity

may extend the locked period for a CLOSING ROOM<sup>®</sup> for ten (10) additional calendar days up to a maximum of eleven (11) times in succession. Notice of any such extension shall be issued to the CLOSING ROOM<sup>®</sup> participants by the International Registry.

## **6. Payment of fees**

6.1 At any time after a CLOSING ROOM<sup>®</sup> has been locked, but prior to the issuance of a release instruction under paragraph 7.1, the coordinating entity shall pay the fees in respect of all prepositioned registrations in the CLOSING ROOM<sup>®</sup>.

6.2 Such payment shall be final if such prepositioned registrations are released for entry into the International Registry data base, as described in paragraph 7.1.

6.3 If such prepositioned registrations are not so released, the coordinating entity shall be entitled to a refund of such fees, less applicable third party payment processing expenses.

## **7. Entering prepositioned registrations into the International Registry data base**

7.1 The coordinating entity may, by following the directions on the International Registry website, issue an instruction to the International Registry, a “release instruction”, to enter all the prepositioned registrations in the CLOSING ROOM<sup>®</sup> into the International Registry data base in the chronological order specified in the pre-registration report and make them searchable for the purposes of Articles 18 (4) and 19 of the Convention when all of the following conditions are satisfied:

- (a) the CLOSING ROOM<sup>®</sup> is locked;
- (b) all prepositioned registrations in the CLOSING ROOM<sup>®</sup> have been consented to by or for each registry user entity whose consent is required by these Regulations;
- (c) the fees referred to in paragraph 6.1 have been paid; and

- (d) if applicable, the special procedures and conditions described in paragraph 8 have been completed and satisfied.

7.2 Upon receipt of a release instruction, the International Registry shall cause all the prepositioned registrations in the CLOSING ROOM<sup>®</sup> to be entered into the International Registry data base in the chronological order specified in the pre-registration report and made searchable for the purposes of Articles 18 (4) and 19 of the Convention. When so entered into the International Registry data base, each of the prepositioned registrations and consents thereto shall be a “registration” and a “consent” to such registration, as such terms are defined in these Regulations, and each such registration shall be “registered” for the purposes of the Convention.

7.3 After the prepositioned registrations in the CLOSING ROOM<sup>®</sup> have been entered into the International Registry data base, the CLOSING ROOM<sup>®</sup> shall be extinguished. However, the Registrar shall retain a record of the pre-registration report. Any CLOSING ROOM<sup>®</sup> participant may obtain a copy of the pre-registration report by following the directions on the International Registry website.

7.4 The CLOSING ROOM<sup>®</sup> participants shall report to the Registrar within 72 hours from the issuance of the release instruction any discrepancies between the registrations that have been entered into the International Registry data base and the pre-registration report. Any such discrepancies shall be subject to correction in accordance with Section 5.17 of these Regulations.

## **8. Special conditions and procedures applicable to entry points**

8.1 The foregoing conditions and procedures are modified as set forth in this paragraph 8 with respect to any prepositioned registrations that are subject to Section 12.1 of these Regulations relating to entry points.

8.2 For the purposes of compliance with Sections 12.1 (a) and 12.7 of these Regulations with respect to an authorizing entry point, the

coordinating entity may enter the authorization code for any prepositioned registration to which those Sections apply at any time prior to issuing the release instruction, notwithstanding that the CLOSING ROOM<sup>®</sup> has been locked. If any of the prepositioned registrations in a CLOSING ROOM<sup>®</sup> require an authorization code pursuant to such Sections, the required authorization codes must be entered before the release instruction is issued.

8.3 For the purposes of compliance with Sections 12.1 (b), 12.4 and 12.7 with respect to a direct entry point, issuing the release instruction with respect to any prepositioned registration to which those Sections apply shall require the prior authorization of the direct entry point, given in accordance with the directions on the International Registry website. If any prepositioned registration in a CLOSING ROOM<sup>®</sup> must be transmitted to the International Registry by the direct entry point pursuant to such Sections, the required authorization by the direct entry point must be given before the release instruction is issued. The term “registry user entity” shall not, for the purposes of paragraphs 2.1 and 2.2, include a direct entry point.

8.4 The obligation to enter an authorization code, as described in paragraph 8.2, and the obligation to obtain the authorization of a direct entry point, as described in paragraph 8.3, are both subject to Section 12.8 of these Regulations, relating to circumstances in which an authorization code is not obtainable or the use of an entry point is not permitted.