

This draft Statutory Instrument supersedes the draft of the same title which was laid before Parliament on 11th March 2014 and published on 13th March 2014 (ISBN 978011111611). It is being issued free of charge to all known recipients of that draft Statutory Instrument.

Draft Order in Council laid before Parliament under section 1(3) and para 2 of Schedule 2 to the European Communities Act 1972 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No. 0000

EUROPEAN UNION

The European Union (Definition of Treaties) (Convention on International Interests in Mobile Equipment and Protocol thereto on matters specific to Aircraft Equipment) Order 2014

Made - - - - - ***

Coming into force in accordance with article 1

At the Court at Buckingham Palace, the XX day of XX

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 1(3) of the European Communities Act 1972(a), a draft of this Order has been laid before and approved by a resolution of each House of Parliament.

Accordingly, Her Majesty, in exercise of the powers conferred on Her by section 1(3) of the European Communities Act 1972, is pleased, by and with the advice of Her Privy Council, to order as follows:

1. This Order may be cited as the European Union (Definition of Treaties) (Convention on International Interests in Mobile Equipment and Protocol thereto on matters specific to Aircraft Equipment) Order 2014 and shall come into force on the day after the day on which it is made.

2. The Convention on International Interests in Mobile Equipment(b) and Protocol thereto on matters specific to Aircraft Equipment(c) signed on 16th November 2001 is to be regarded as an EU Treaty as defined in section 1(2) of the European Communities Act 1972.

Date _____ Name
Clerk of the Privy Council

(a) 1972 c.68. The references to "the EU" and "the EU Treaties" in section 1(2) and (3) of the European Communities Act 1972 were inserted by the European Union (Amendment) Act 2008 (c.7) section 3(1) and (3), Schedule Part 1.

(b) Cm 8786.

(c) Cm 8787.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order declares the Convention on International Interests in Mobile Equipment and Protocol thereto on matters specific to Aircraft Equipment (“the treaty”) signed on 16th November 2001 to be an EU Treaty as defined by section 1(2) of the European Communities Act 1972.

The treaty is a private international law instrument which creates an international harmonised framework to deal with the registration of interests, such as leases and mortgages, on helicopters, aircraft frames and aircraft engines above a certain size and engine capacity.

The principle effect of declaring this Convention and Protocol to be an EU Treaty as defined by section 1(2) of the European Communities Act 1972 is that the provisions of section 2 of the European Communities Act 1972 apply to it, allowing it to be implemented in the UK.

A full Impact Assessment has not been carried out for this Order as the Order itself has no impact on the costs and benefits for business, the voluntary sector and public finances in the United Kingdom.

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