



The Registry of Aruba

February 2014

Aruba enacts new aircraft registration legislation

The Aruba Registry has recently enacted some new legislation to increase the flexibility of the aircraft registration program in Aruba and to meet demands from the industry. The changes were implemented in the aircraft registration regulation. This memorandum will give you an overview of the key elements that have been implemented.

Qualifying countries/companies for registration in Aruba

Prior to these changes only natural persons that are resident of Aruba or Aruba legal entities qualified for registration. The new regime expands the definition of qualifying companies to include:

- Members of the European Union states
- Members of the European Economic Zone states
- Members of the British Commonwealth
- The United States of America
- United Arab Emirates

Companies which are member of (one of) these states can qualify for registration.

U.S. Owner Trustees

U.S. Owner Trustees also qualify for registration in Aruba under this new regime.

Qualifying holders

The old regime limited registration by either Aruba owners or Aruban lessees ("*houders*"). The new regulation also allows for aircraft manager or operators to qualify for registration. In all these instances the Registry has to verify the underlying documentation that the manager or operator has operational control of the aircraft, which is a safety oversight requirement.

Other qualifying countries/companies

The regulation also contains a list of countries that do not fall under any of the earlier mentioned categories but whose companies are commonly used, as part of international financial structures or for which there is demand from the industry. The qualifying countries are listed in annex 1 to this. Companies which are member of (one of) these states can qualify for registration.

The Registry of Aruba

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IDERA domestic registry

The new regulation creates the possibility for the Registry to maintain a separate registry for IDERA's filed with the Registry. While the Cape Town Convention does not require domestic legislation for the creation of such registry, it was deemed desirable by the Registry to provide for this to create an extra level of comfort for financiers.

Pledge domestic registry

The regulation also allows for a separate registry to be created to file any other legal acts and/or notifications that in any way is relevant for the legal status of an aircraft. These include the filling of security interest rights in the form on an Aruba right of first pledge or an Aruban right of first mortgage.

Other rights

Other rights or notices that that can be filed with the registry include: fractional ownership, engine ownerships or rights allocated to a U.S.-(owner) Trustee. The latter was included to facilitate the recordable of the rights of U.S. (owner) Trustees in Aruba.

*For any further information of aircraft registration in Aruba or on the possibilities of structuring under this new regime or for domiciliation do not hesitate to call us at **+1(305) 471.9889** or e-mail us: info@P4REGISTRY.COM*

This document is construed for general information only. The information presented should not be construed to be formal legal advice.

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Annex 1

Andorra
Anguilla
Antigua and Barbuda
Argentina
Australia
Azerbaijan
Bahamas
Bahrain
Barbados
Belize
Bermuda
Brazil
British Virgin Island
Brunei Darussalam
Canada
Channel Islands
Chile
Chinese Republic
Colombia
Costa Rica
Gibraltar
Hong Kong (SAR) of China
India
Israel
Isle of Man
Jamaica
Japan
Jordan
Hong Kong
Kazakhstan
Kenya
Lebanon
Malagasy
Malaysia
Morocco
Marshall Islands
Mauritius
Mexico
Myanmar New
Zealand Oman
Panama Peru
People's Republic of China
Principality of Liechtenstein
Principality of Monaco

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Qatar
Russian Federation
Saudi Arabia
Seychelles
Singapore
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Serene Republic of San Marino
South Africa
South Korea
Taiwan
Thailand
Trinidad and Tobago
Turkey
Turks and Caicos
Vanuatu
Venezuela
United Arab Emirates

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