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## The Cape Town Convention in the UK: IDERA Guidance from the CAA

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*We refer to our alert, [The Cape Town Convention in the UK: Effective 1 November 2015, dated 29 October 2015](#).*

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The UK Civil Aviation Authority (CAA) has now issued detailed guidance on the irrevocable de-registration and export request authorisation (IDERA) process which is available [here](#). All forms referenced below are also available on the CAA website together with details of the fees payable to the CAA. The guidance sets out the following:

- IDERA request process
- IDERA revocation process
- IDERA designation process (nomination of a certified designee)
- IDERA designation removal process (removal of the certified designee)
- IDERA de-registration request process

In summary:

- A request to issue an IDERA must be in relation to an “international interest” created on or after 1 November 2015.
- As well as signing an IDERA appointing an authorised party in the form prescribed by the Cape Town Convention, the registered owner of the aircraft will be required to complete an accompanying form CA50 IDERA Request for submission to the CAA. The IDERA will not be countersigned by the CAA (as is the case in many other jurisdictions), but the CAA will confirm acceptance of the IDERA by email or letter to the registered owner and the authorised party within three (3) working days of receipt. Only one (1) IDERA can be recorded with the CAA and current at any one time.
- The authorised party who is appointed by the registered owner of the aircraft pursuant to the IDERA can designate a certified designee by completing and submitting a form CA52 IDERA Designation Form to the CAA. The CAA will confirm acceptance of the designation via email or letter. There can only be one

designee in place at any one time. The authorised party can remove the designation without reference to the designee by completing and submitting the form CA53 IDERA Designation Removal Form to the CAA. Once the removal of the designation is accepted, a confirmatory email or letter will be sent to the certified designee and the authorised party.

- If an event of default occurs, the authorised party or certified designee of an IDERA can request the de-registration of the aircraft by completing and submitting a form CA54 IDERA De-registration Request to the CAA. The request must contain a declaration that all registered international interests ranking in priority to the interest of the authorised party/certified designee have been discharged or the consent of the interest holders has been obtained. Specific consent of the registered owner or other party on the CAA's registration records is not required, however, if, at the time of the de-registration request, a registered mortgage is entered on the UK Register of Aircraft Mortgages that was created prior to 1 November 2015, the mortgage must be discharged or the mortgagee must consent in writing to the de-registration of the aircraft. If other parties to a transaction are disputing whether the IDERA can be exercised they must obtain a court order to prevent the CAA from de-registering the aircraft. De-registration and notification thereof will normally be actioned within three (3) working days provided that an export certificate of airworthiness has already been issued. Once the aircraft is de-registered, confirmation will be sent to the authorised party (and certified designee if a designation is in place), the registered owner and the aviation authority of the country to which the aircraft has been de-registered.
- To revoke an IDERA, the authorised party must complete and submit the form CA51 IDERA Revocation to the CAA (without reference to the certified designee if a designation has been made). Any delay in requesting revocation of an IDERA may cause a further delay to a de-registration request or a request to register a change in ownership. Once the IDERA is revoked, a confirmatory email or letter will be sent to the registered owner and the authorised party.
- If any of the above forms submitted to the CAA cannot be accepted by the CAA, a reason will be given together with an acknowledgement of receipt by email.

If you have any questions about whether the Cape Town Convention applies to your transaction, how to register with the International Registry or in respect of any other topics covered in this article or require any further information or assistance, please contact:



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