

[Emblem]

2014 no. 15

**LEGAL PROCLAMATION BULLETIN
OF ARUBA**

MINISTERIAL REGULATION dated February 7, 2014 for the modification of the Regulation on registration and registration reference (AB 1991 no. GT 36)

Issued February 19, 2014

The Minister of Justice,

A. L. Dowers

The minister of TOURISM, TRANSPORT, PRIMARY SECTOR AND CULTURE,

Having taken into consideration:

That it is desirable in connection with developments in the international markets and the joining of the Convention on International Interests in Mobile Equipment (Trb. 2009, 86) to adjust the Regulation on Registration and registration reference (AB 1991 no. GT. 36);

Noting:

Article 6 of the Aviation Ordinance (AB 1989 no. GT 58);

HAS DECIDED:

Article I

The Regulation on Registration and registration reference (AB 1991 no. GT. 36) will be modified as follows:

A. Article 2 will read as follows:

“Article 2

1. Subject to the second paragraph of this Article, the Aruban aircraft register, as alluded to in Article 6 of the Aviation Ordinance, will have aircraft registered in it that are the property of:

- a. A resident of Aruba;
- b. A legal entity based in Aruba;
- c. A legal entity to which the rights of a member state of the European Union, of one of the countries, islands or territories as alluded to in Article 355, first paragraph, second paragraph, first complete sentence, second and fourth paragraph, as well as the fifth paragraph under c, of the Treaty on the European Union, of another state that is party to the Agreement on the European Economic Area, of Switzerland, Canada or of the United States of America apply, as long as the legal entity is continuously represented by a natural or legal entity in Aruba;

d. A legal entity to which the right of a state applies as alluded to in the appendix which is part of this ministerial disposition, as long as the legal entity is continuously represented by a natural or legal entity in Aruba;

2. If the natural or legal entity as alluded to in the first paragraph is the owner of an aircraft by virtue of any lease, management or usage agreement, that aircraft will be admitted by the Director of the Directorate of Aviation subsequent to a request for admission, for the period permitted under the agreement under the name of the holder of such agreement. In such a case, the obligations attached to this regulation for the owner of an aircraft will be observed by the holder of the agreement.

3. Registration as alluded to in the first or second paragraph can be refused by the Director of the Directorate of Aviation in connection to common good or public order. Meeting the obligations stemming from or pursuant to treaty is correspondingly understood as being part of the common good or public order.

4. The Director of the Directorate of Aviation can attach conditions to admission as alluded to in the second paragraph.”

B. A new paragraph is inserted in Article 4, by renumbering the second paragraph to be the third paragraph, which will read:

“2. Upon request, the register will also make note of the following in regard to a registered aircraft:

- a. Authorizations as alluded to in Article XIII of the Protocol to the Convention on International Interests in Mobile Equipment on Matters specific to Aircraft Equipment (Trb. 2009, 86);
- b. Other legal acts and notifications that are in any which way significant to the legal status of the aircraft.”

C. A new third paragraph is inserted in Article 6, which will read:

“3. The Director of the Directorate of Aviation can delete the registration of an aircraft if, in the opinion of the Director, the aircraft is not in an airworthy condition or is suspected not to be flown in a safe manner.”

D. Article 10 will come to read as follows:

“The nationality and registration reference must be painted on aircraft on the bottom side of the left wing, where the top of the signs are to be pointed forwards, and on the sides of the body, in general such that the entire registration reference is clearly visible from above, from below and on both sides of the airplane.”

Article II

This ministerial disposition will take effect the day after the placement in the Legal Proclamation Bulletin of Aruba.

O. E. Oduber

States as alluded to in Article 2, first paragraph, section d:

Andorra
Anguilla
Antigua and Barbuda
Argentina
Australia
Azerbaijan
Bahamas
Bahrain
Barbados
Belize
Bermuda
Brazil
Brunei Darussalam
Chile
China, Republic of
Colombia
Costa Rica
Gibraltar
Hong Kong (SAR) of China
India
Israel
Man
Jamaica
Japan
Jordan
Hong Kong
Channel Islands
Kazakhstan
Kenya
Lebanon
Madagascar
Malaysia
Morocco
Marshall Islands
Mauritius
Mexico
Myanmar
New Zealand

Oman
Panama
Peru
Qatar
Russian Federation
Saudi Arabia
Seychelles
Singapore
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Serene Republic San Marino
Taiwan
Thailand
Trinidad and Tobago
Turkey
Turks and Caicos
Vanuatu
Venezuela
United Arab Emirates
People's Republic of China
Kingdom of Liechtenstein
Kingdom of Monaco
South Africa
South Korea