



THE CANADIAN  
BAR ASSOCIATION  
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November 15, 2012

Via email: [trcm@sen.parl.gc.ca](mailto:trcm@sen.parl.gc.ca); [TRAN@parl.gc.ca](mailto:TRAN@parl.gc.ca)

The Honourable Senator Dennis Dawson  
Chair, Senate Committee on Transport and Communications  
The Senate of Canada  
Ottawa, ON K1A 0A4

Larry Miller, M.P.  
Chair, Standing Committee on Transport, Infrastructure and Communities  
Sixth Floor, 131 Queen Street  
House of Commons  
Ottawa, ON K1A 0A6

Dear Senator Dawson and Mr. Miller:

**Re: Bill C-45, Part 4, Division 20 – *International Interests in Mobile Equipment (aircraft equipment) Act***

The Air & Space Law Section of the Canadian Bar Association (CBA Section) would like to offer its full support to the government in moving forward and implementing this legislation.

The CBA is a national association of over 37,000 lawyers, law students, Québec notaries and law teachers, and our mandate includes improvements in the law and the administration of justice. The CBA Section is a geographically diverse membership made up of counsel who represent aircraft operators and financiers, aerospace companies, and equipment manufacturers.

The CBA Section has supported the ratification of the Convention on International Interests in Mobile Equipment (Cape Town Convention) and has monitored the developments in Canada from the beginning. We have consistently supported implementation in our meetings with government both at the federal and provincial level. The CBA Section has also facilitated the passage of complementary provincial legislation, most recently in Manitoba this year.

The CBA Section is of the view that implementing the Cape Town Convention is good for aviation in Canada. This is true for both aircraft operators and businesses who finance and lease aircraft to operators. Implementation will also benefit the Canadian aerospace industry.

The Cape Town Convention is designed to facilitate asset-based financing and leasing of aviation equipment. Furthermore, it expands financing opportunities at reduced costs. The Cape Town

Convention also enhances legal predictability thereby reducing many of the risks involved in financing and leasing aircraft equipment.

The CBA Section believes that Division 20 of part 4 in Bill C-45 completes the federal legislation needed to allow The Cape Town Convention to be brought into force in Canada. We would be pleased to respond to any questions or to further offer our support in the government's effort to implement this legislation.

Yours truly,

*(original signed by Noah Arshinoff for Indra Hornsby)*

Indra Hornsby  
Chair, National Air & Space Law Section

cc: The Honourable Joseph A. Day  
Chair, Senate Committee on National Finance  
[nffn@sen.parl.gc.ca](mailto:nffn@sen.parl.gc.ca)

James Rajotte, M.P.  
Chair, Standing Committee on Finance  
[FINA@parl.gc.ca](mailto:FINA@parl.gc.ca)