

# Next steps and future of the MAC Protocol



CEMA



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## Advancing the MAC Protocol Shaping the future of EU equipment financing

26 February 2025 | 14.00-16.00 CET | Embuild - Av. des Arts 20, Brussels



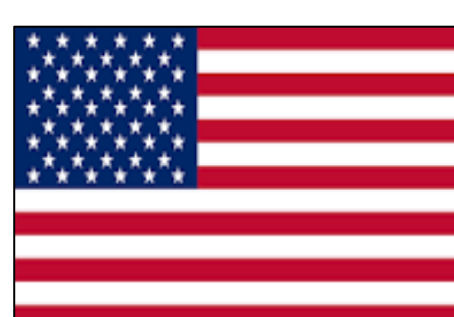
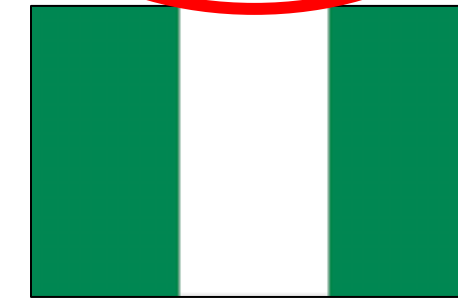
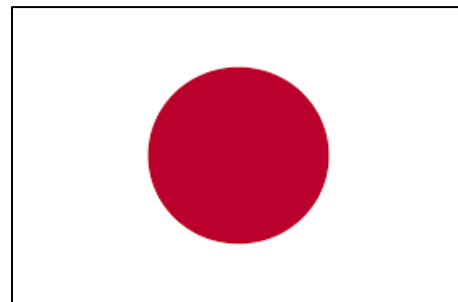
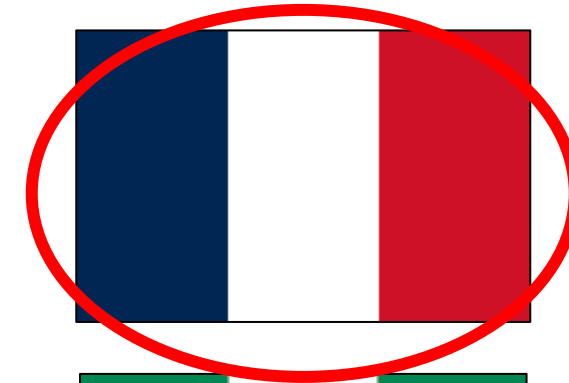
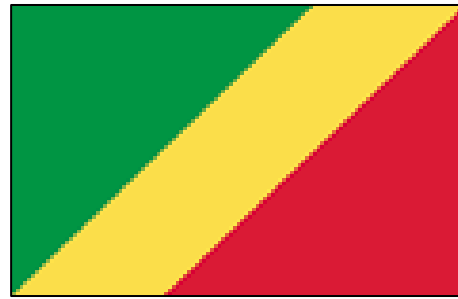
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William Brydie-Watson, UNIDROIT Senior Legal Officer

# Implementation of the MAC Protocol

- The implementation of the MAC Protocol is overseen by the MAC Preparatory Commission, established by the Diplomatic Conference in 2019.
- Currently composed of 16 States, the next four States that sign/ratify the MAC Protocol will also be eligible to join the Preparatory Commission.
- Meets approximately once per year at the UNIDROIT Headquarters in Rome, Italy.



Australia, Canada, the Republic of the Congo, the People's Republic of China, France, The Gambia, Germany, the Republic of Ireland, Japan, the Republic of Korea, Nigeria, Paraguay, Spain, South Africa, the United Kingdom and the United States

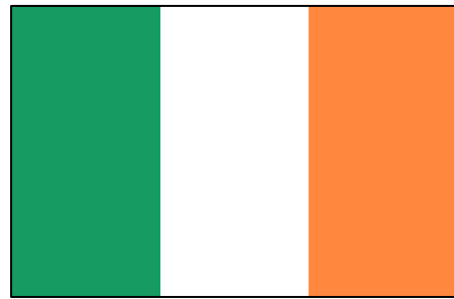


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# Implementation of the MAC Protocol

- Efforts to ratify the MAC Protocol are undertaken by the Ratification Task Force (RTF).
- Established in 2023, the RTF is an informal group of interested States, organisations and private sector representatives that coordinates activities to increase ratifications.



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**AEM**

Association of  
Equipment Manufacturers



Japan Construction Equipment  
Manufacturers Association



**CEMA**

European Agricultural  
Machinery Association



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# Implementation of the MAC Protocol

The MAC Preparatory Commission has four core objectives that are required to bring the MAC Protocol into force:

**1. Designation of a Supervisory Authority for the International Registry**



**2. Appointment of Registrar and Establishment of the International Registry**

**3. Preparation of Regulations for the International Registry**



**4. Five ratifications of the MAC Protocol**

**UNIDROIT designated as Supervisory Authority in April 2024**

**Appointment of the Registrar in first quarter of 2025**

**Baseline Regulations approved in April 2024**

**One ratification, Five signatures (4 States and the EU)**



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# Implementation of the MAC Protocol

The MAC Protocol will enter into force when it has been ratified by five countries.

Currently, the MAC Protocol has been ratified by one State and signed by four States and the EU.

## RATIFICATIONS

1. Paraguay (2024)



## SIGNATURES

1. Republic of Congo (2019)
2. Gambia (2019)
3. Nigeria (2019)
4. United States of America (2020)
5. European Union\* (2022)



**CURRENT FOCUS ON RATIFICATION AND DOMESTIC IMPLEMENTATION**



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# Why ratify the MAC Protocol?

Your country must ratify the MAC Protocol to benefit from its legal rules and economic effects!

Countries do not need to sign the MAC Protocol before they ratify it.

Only 17 of the 87 Cape Town Convention Contracting States signed the treaty before ratifying it.

## Article 3 — Sphere of application

1. This Convention applies when, at the time of the conclusion of the agreement creating or providing for the international interest, the debtor is situated in a Contracting State.
2. The fact that the creditor is situated in a non-Contracting State does not affect the applicability of this Convention.



**For your country's mining, agriculture and construction companies to access cheaper credit for equipment, your Government must ratify the Cape Town Convention and MAC Protocol.**

**It doesn't matter where the bank (creditor) is, it can be in your country, or a foreign country.**



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# Why ratify the MAC Protocol?

**Additional unique benefit – if your country ratifies the MAC Protocol, it can also propose other types of MAC equipment for coverage by the treaty (using the Harmonized System)**



**Ratifying the MAC Protocol allows your country to proposed other HS codes covering MAC equipment important to your economy for inclusion in the MAC Protocol Annexes.**



**\*AI generated images – not real mining, agricultural and construction equipment**



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# How does my country ratify the MAC Protocol?

To ratify the MAC Protocol and take advantage of its benefits, your country has to take three steps:

- 1. Complete your domestic treaty ratification process (varies country to country)**
- 2. Make certain declarations under the MAC Protocol (one mandatory declaration)**
- 3. Deposit your instrument of ratification with the Depositary (UNIDROIT)**



\*Must also ratify the Cape Town Convention

**10 EU CTC ratifications:** Netherlands, Spain, Sweden, Denmark, Romania, Ireland, Luxembourg, Latvia, Cyprus and Malta

**3 EU CTC signatures:** France, Italy, Germany



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# Costs of ratifying the MAC Protocol – questions & answers

**Q: Does my country need to create and pay for a domestic registry for interests in MAC equipment to ratify the MAC Protocol ?**

**A: NO!** Existing domestic registries can be connected to the MAC Protocol, but your country does not need an existing domestic registry to ratify the treaty.

**Q: Does my country need to become a UNIDROIT Member State to ratify the MAC Protocol?**

**A: NO!** (although UNIDROIT would be very happy if your country were to do so).

**Q: Does ratifying the MAC Protocol require my country to pay any costs or fees?**

**A: NO!** Countries that ratify the Protocol have no financial obligations under the treaty.



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## Next steps

UNIDROIT, CECE and CEMA stand ready to assist the European Commission and EU Member States with the ratification and implementation of the MAC Protocol.

- UNIDROIT can assist with:
  - Information and analysis on legal operation
  - Economic benefits and trade data
  - Connection with local stakeholders who would benefit from and support the Protocols
  - Assistance with ratification process and declarations

We look forward to the EU joining the MAC Protocol as soon as possible!



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