

AVIATION & AEROSPACE

REGULATORY - FINANCE - INFRASTRUCTURE
CORPORATE - DISPUTE RESOLUTION

For a long time now, Gide has built up a multi-disciplinary team dedicated to handling the challenges inherent to the aviation and aerospace industry. As well as specialising in aviation and aerospace law, Gide's practice areas include in particular contract law, liability and insurance law, transport law, public law, banking and finance law, as well as corporate law, competition law, tax law, intellectual property law and dispute resolution.

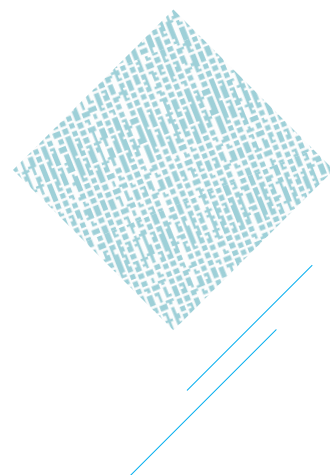
In the fields of aviation and aviation insurance law, Gide is now regarded as a benchmark counsel by aircraft manufacturers, airlines, maintenance operators and equipment manufacturers, as well as by aviation insurers. Our lawyers provide a full range of legal services with regard to aviation insurance and the specific liability of aircraft manufacturers and air carriers. The Aviation and Aerospace practice also advises traditional stakeholders in the insurance sector (insurers, insurance brokers, reinsurers), freight forwarders, airports and financial actors such as donors, credit establishments and financial institutions.

Gide's teams can also structure all civilian or military transaction types at any stage, both in France and abroad, for instance preparing and studying the regulatory framework, conducting legal audits of acquisitions or partnerships, handling administrative procedures (approval, certification), negotiating and putting in place trade agreements or partnerships.

We also act on all types of supply contracts, construction, assembly and maintenance contracts, chartering, refuelling, freight, assistance/ground-handling and R&D contracts, structuring and boosting insurance programmes, and represent clients in the context of arbitration and dispute resolution cases.

Building on its considerable experience in the fields of media, telecommunications and information technology, Gide now regularly advises companies active in the satellite industry, such as telecommunications operators, governments, national supervisory authorities, content providers and satellite manufacturers.

Our lawyers advise airlines, aircraft manufacturers and their insurers, chambers of commerce and industry, airport operators, equipment manufacturers, service providers, governmental authorities, international bodies as well as the aviation financing community.



ALGIERS

BEIJING

BRUSSELS

CAIRO

CASABLANCA

ISTANBUL

LONDON

NEW YORK

PARIS

SHANGHAI

TUNIS

WARSAW

MAIN AREAS OF EXPERTISE

Regulatory

- Compliance with environmental regulatory issues including noise pollution, night flights and chemical pollution of waterways adjacent to airports;
- Development of appropriate aviation regulations, including safety and security measures;
- Bilateral and multilateral agreements between countries concerning landing / take-off rights and embarkation/ disembarkation of passengers in or via third party countries;
- Compliance with French and EU air transportation regulations (airport slots, airport slot transferability, carrier certification, general carrier authorisations, airline operating licences, and authorisations to operate passenger & air freight transportation services on specific international air routes);
- Assisting civil aviation authorities and transport ministries on adapting and restructuring the civil aviation code in their respective countries;
- EU regulations, negotiations with EU institutions involved in the drafting of legislative and regulatory texts applicable to the sector (airlines, airports, etc.); monitoring compatibility with EU law as regards national transposition measures; assistance before Community courts.
- Assistance in implementing French regulations pertaining to drones, and legal watch concerning related future European regulations.

Commercial and Contract Issues

- Aircraft registrations with civil aviation authorities;
- Drafting General Conditions of Carriage and advising on ticketing and air waybills;
- Dealings and relations with airborne police services;
- Airline alliance relationships and code sharing arrangements;
- Negotiation of aircraft engine and equipment pooling arrangements and maintenance agreements;
- Institution of legal actions between airlines and airports concerning the use of airport facilities and the collection of airport charges;
- Drafting and negotiating operating and aeronautical maintenance contracts and lease agreements.

Financing

- Assistance in aircraft financing, leasing operations, sales, lease-back, disposals and securitisations of aircraft lease receivables;
- Advising on financing new aircraft acquisitions for both borrowers and lenders, export credit financing, secured debt financing, domestic and cross-border financing and disposals of aircraft loan portfolios;
- Assistance with regard to the attachment and repossession of aircraft and aircraft engines;
- Registration of mortgage bonds and other securities registered over aircraft.

Corporate

- Acquisitions, disposals, mergers, restructurings and refinancing of airlines and joint ventures;
- Selection of optimal contractual regimes and preparation of privatisation;
- Advising on safeguard and insolvency procedures.

Competition

- **Merger control.** Advising on the application of competition law to airline restructuring and merger operations;
- **State aids.** Assistance in preparing the notice of a State aid to the European Commission, in the investigation procedure or in the lodging of a complaint;
- **Antitrust.** Advising on the application of competition law (compliance and prevention of cartels, compliance of agreements and trade contracts, abuse of dominant position);
- **Litigation.** Assistance before Community and national courts as regards competition disputes (appeals, settlement agreements related to anti-competitive practices).

Infrastructure and Industrial Projects

- Advising airlines seeking to develop dedicated airport terminals and on public contractual law issues associated with the legal status of airport land and airport management authorities. Assistance in the context of relations with airport authorities;
- Advising secondary sector companies on development programmes in the aviation and aerospace sector (setting up an assembly line, developing new programmes);
- Advising manufacturers or airport infrastructure operators on PPP or concession projects;
- Advising aircraft and equipment manufacturers on construction, maintenance or sales contracts.

Liability and Insurance Matters

- Handling of all claims pursuant to aircraft accidents: defence of damages actions including hull loss, third party and subrogated claims; support in dealing with the aftermath of major aviation accidents, notably accident investigations; and co-ordination of multi-jurisdictional claims;
- Advising on ground-handling disputes and damages to aircraft by third parties;
- Advising on policy wording and disputes regarding the application of guarantees;
- Assistance in setting up aviation insurance policies and audits;
- Advising on product liability issues for a number of aircraft and equipment manufacturers;
- Advising on pre-litigation matters and disputes involving the civil liability of French airport operators.

Telecommunications and Satellites

- Advising on the sale and operation of satellite capacity;
- Advising on the legal aspects of the regulation of orbital locations, the assignment of frequencies and on space debris;
- Handling of disputes as regards satellite infrastructure;
- Advising on the allocation of licences and the restructuring of operators;
- Assisting in the development of PPP operations in the telecommunications field, both with French local authorities and governments worldwide.

“Advises airlines and manufacturers on product liability and regulatory matters in addition to assisting with litigation following major aircraft accidents. Offers further experience in insurance and reinsurance issues and aircraft and engine maintenance. Also acts on finance and competition matters within the aviation industry. Further expertise lies in drafting and negotiating a variety of commercial contracts, including code sharing, operation, maintenance and lease agreements.

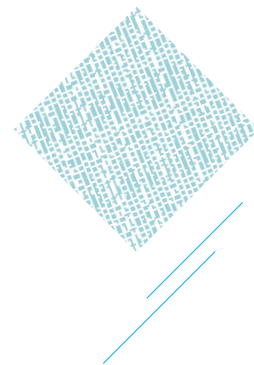
Clients appreciate the team's ‘high-quality service’ and describe the lawyers as ‘responsive and available.’

Advised La Réunion Aérienne as insurer of the manufacturer on issues arising from the crash of an EC145 helicopter.

Advised Global Aerospace on a large number of claims following incidents on airport premises across France. »

Chambers Europe 2018

In 2015, **Airfinance Journal** ranked Gide as one of the best law firms in the field of aircraft financing (14th worldwide and 4th out of the most active law firms in Structured Lease deals).



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“Market-leading insurance team acting on both regulatory and litigation matters. Advising domestic and international insurance companies, insurance brokers and agents, as well as French authorities. Areas of expertise include industrial risks, transport and aviation. Also skilled at handling large-scale financial cases, including class actions.

Interviewees praise the team's services. 'They work to the highest standards. They offer great depth of technical expertise,' one satisfied client reports. 'Their work is good, quick and effective,' further sources add.

Sources also value the team's support in complex matters, particularly praising its 'exceptional negotiation and communication skills.' »

Chambers Europe 2018

“The 'very strong' and 'very reliable' team at Gide Loyrette Nouel A.A.R.P.I. provides 'a mix of technical skills and business acumen' and is, according to one client, in 'the top tier for the provision of legal and regulatory advice, both on contentious and non-contentious matters'. It provides 'consistency in quality across the group', handling insurance and reinsurance matters, with a broad range of expertise including litigation and regulatory services, and has notable strengths in transport, life insurance and construction-related matters. »

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