

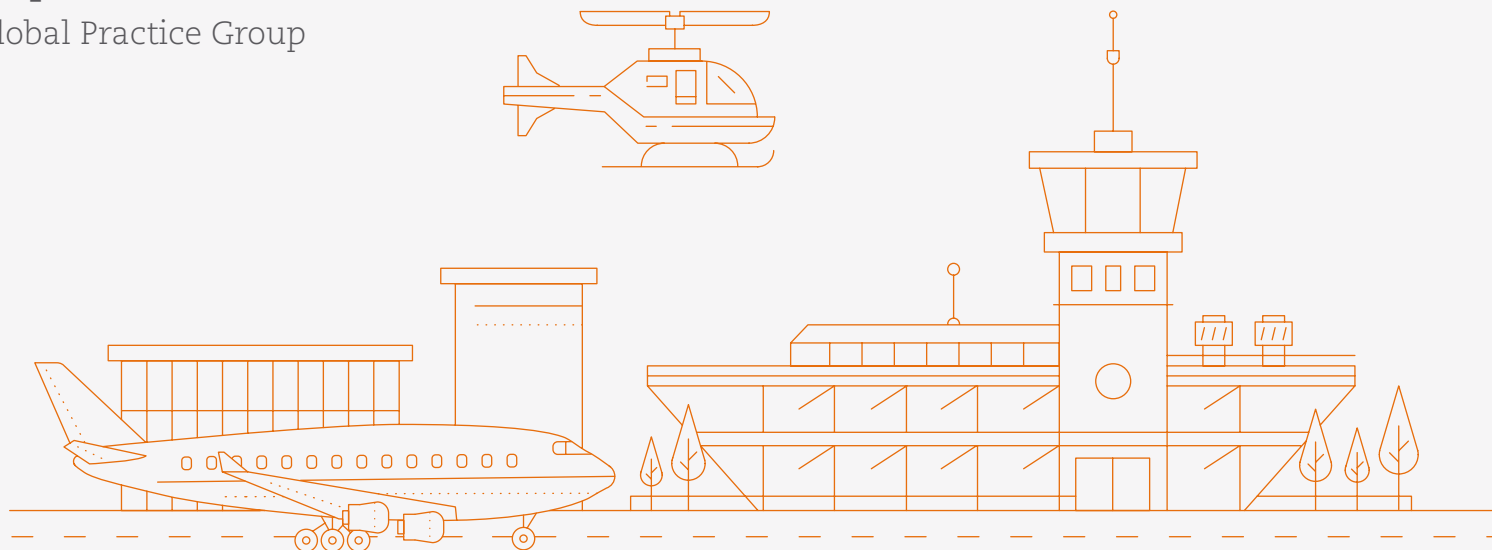
# Aviation Plus

Clyde & Co LLP is a dynamic, global law firm that delivers legal services across our core sectors, including aviation. We are airline focussed and operate through a single global practice group, allowing us to serve our clients where and when they need us.

We have a renowned major loss, emergency response and attritional liability air carrier defence practice. In this interactive brochure we present here our wider aviation related capability in working for airlines – what we call ‘Aviation Plus’.

## Our aviation practice in overview

One Aviation Global Practice Group



**50+**  
offices

Consistently top ranked by Chambers & Partners and Legal 500 directories

“

The world's leading firm in the field of aviation law.

Who's Who Legal

**100+**  
Aviation specialists

### Aviation specialists in each of:

London  
Edinburgh  
Paris  
Madrid  
New York  
San Francisco  
Los Angeles  
Miami  
Montreal  
Toronto

Caracas  
Mexico City  
Rio de Janeiro  
Dubai  
Johannesburg  
Singapore  
Hong Kong  
Shanghai  
Melbourne  
Sydney

### Aviation Plus

- › Regulatory
- › Non-contentious commercial
- › Finance & leasing
- › Fleet procurement
- › Commercial dispute resolution
- › Debt recovery

### Aviation Liability

- › Major Loss
- › Emergency Response
- › Attritional liability defence
- › Associated subrogated recovery

## Our services

### Aviation Plus

We understand the aviation industry and the needs of airlines. Members of our Aviation Plus team have many years of experience representing the airline industry in these areas of work, with several also having worked as in-house lawyers. We always endeavour to provide practical, business orientated, advice.

With this combination we provide airline clients with a comprehensive range of services on a worldwide basis: we can serve you as a one-stop shop.

---

The principal members of our Aviation Plus team are identified [here](#).

Details of aviation related value added services that we can provide are available [here](#).

**Click on the links to navigate this interactive brochure.**

### Additional services

## Regulatory

We advise and act for airlines in relation to all aspects of aviation safety, security and economic regulation, and market access, pursuant to both international and national law. Due to the geographic spread of our team, we can and often provide advice on a multi-jurisdictional basis.

Members of our team have also written extensively in this area. For example:

- Tom Van der Wijngaart and John Balfour edit the annual Lexology publication *Getting the Deal Through – Air Transport*
- Rob Lawson QC, has contributed to the UK chapter for the last 3 editions of *The Aviation Law Review* and is a past contributor to the Aviation title in *Halsbury's Laws of England*
- John Balfour wrote the first complete textbook on European Union air law, *European Community Air Law* and is a consulting editor of *Shawcross and Beaumont on Air Law*

- We wrote the extensive report *Brexit scenarios for Business Aviation* for the European Business Aviation Association (February 2018)
- Fabrice Pradon, is the chief editor of the French journal aviation and space laws, *Revue française de droit aérien et spatial*, and teaches aviation law at several universities

We also advise on competition law in the aviation sector, alliances, mergers & acquisitions State aid rules. John Milligan wrote the main textbook in this field, *European Union Competition Law in the Airline Industry*.

[Click to see our experience by region](#)

## UK

- Advising major airlines on EU and ASA ownership and control issues, and related potential restructuring, in anticipation of Brexit
- Assisting with the establishment of new UK airlines, including obtaining of their requisite AOC, operating licence and route licence. We have also advised in relation to the procurement of ground handling services and of slots for such start-ups
- Assisting non-EU airlines in respect of their proposed commencement of services to and from the UK, including advising in relation to traffic rights, foreign carrier permit requirements, slots, the establishment of a UK branch office and immigration issues
- Acting for IATA in relation to its intervention before the English Court of Appeal in *Gahan v. Emirates*, concerning the extra-territorial reach of EU Regulation 261/2004
- Acting for various international airlines in respect of claims brought against them for compensation for long delay, cancellation and denied boarding pursuant to EU Regulation 261/2004
- Advising a major airline in relation to issues arising out of the proposed change of PRM service provider at a major international airport, PRM service standards and proposed increased PRM charges
- Advising a major airline and associated tour operator in relation to the sale and marketing of package holiday products and linked travel arrangements
- Advising various major airlines on compliance of their conditions of carriage with EU consumer law, including in the context of enforcement proceedings threatened by the UK CAA under its Enterprise Act powers
- Advising a major Asian carrier in respect of the regulations governing the sale of package holidays, requirements of the EU Package Travel Directive, and the ATOL licensing process
- Acting for Air Serbia in a case before the Court of Justice of the European Union regarding the availability and use of sixth freedom traffic rights under the European Common Aviation Area Agreement
- Advising a major non-EU airline on ICAO and EU rules on the equipping of aircraft with underwater locating devices, liability exposure for non-compliance and applicable enforcement measures
- Acting in the ground breaking case before the English Court of Appeal concerning the admissibility of Annex 13 air accident reports in English civil proceedings, *Rogers v. Hoyle*
- Assisting in writing reports for the European Commission on the development of comprehensive air transport agreements with non-EU states in respect of traffic rights and air safety; and on possible air transport agreements with 10 ASEAN States and with 6 Gulf Cooperation Council States
- Defending prosecutions in the Crown Court for alleged offences under the Air Navigation (Dangerous Goods) Regulations
- Advising a national airline and Ambassador to the UK on inadvertent carriage of foreign nationals intending to join terrorist groups

### Key contacts

UK:  
Rob Lawson QC  
Tom van der Wijngaart

## Europe

### France:

- Acting for various airlines before civil, commercial and criminal courts for compensation brought against them for compensation for long delay, cancellation and denied boarding pursuant to EU Regulation 261/2004 and national laws
- Acting for various airlines before social courts in respect of claims brought against them by their crew members
- Acting for various airlines before administrative courts in challenges to administrative fines, including in relation to noise pollution, air traffic rules infringement, illegal entry of a passenger into French territory, non-compliance with security regulations, non-compliance with EU Regulation 261/2004, and non-compliance of their general conditions of carriage and websites with the French Consumer Code
- Advising a major EU airline on compliance of its website and conditions of carriage with French regulations

- Assisting airlines in their relationship with consumer protection authorities with regards to issues of compliance of their general conditions of carriage and websites with the French Consumer Code
- Acting for airlines in cases before the French criminal courts, including resulting from an air disaster, in relation to discrimination matters brought by passengers, traffic offences committed at an airport, threats made to aircraft staff by passengers, unruly passengers, travel agency fraud and the inadvertent carriage of a drug smuggler
- Assisting airlines to negotiate and settle claims brought against them for compensation in all situations envisaged by contract, aviation and national laws

### Spain:

- Representing airlines in administrative proceedings opened by the Spanish national enforcement body concerning issues including non-compliance with the PRM Regulation, EU Regulation 261/2004, deviations after take-off and the illegal transport of weapons
- Defending airlines in cases opened by regional administrative bodies, including the Catalonia Consumer Agency and the Balearic Islands Health Agency
- Acting for various international airlines in respect of claims brought against them for compensation for long delay, cancellation and denied boarding pursuant to EU Regulation 261/2004, including via the use of a bespoke iDefend261 software tool
- Representing airlines in cases before the criminal courts, including - inter alia - cases of unruly passengers and bomb-threat investigations

### Key contacts

France:  
Fabrice Pradon  
Grégory Laville  
de la Plaigne

Spain:  
Enrique Navarro

## Americas

- Acting for the airline interests in the ground breaking cases concerning Federal law Pre-emption of State common law obligations relevant to aviation safety standards, *Abdullah v. American Airlines Inc.*, airline warning and seat requirements, *Witty v. Delta Airlines Inc.*, compliance with FAA security standards, *Bavis v. UAL Corpn.*, and product liability standards, *Sikkelee v. Precision Airmotive Corpn.*
- Representing major US airlines in civil penalty matters involving FAA investigations and fines
- Advising a major Asian carrier in relation the compliance of its ticket notices with US Federal Regulations
- Assisting a major US airline in its dialogue with the DOJ and FAA concerning the promotion of Federal law Pre-emption as the basis for determination of liability
- Assisting a major airline in its application for Safety Act certifications for various US station based security plans
- Assisting an international passenger airline in defending against enforcement action by the Transportation Security Administration for alleged security breaches
- Assisting an international passenger airline in its compliance with US regulations addressing advertising practices, handling of passengers using wheelchairs, passengers with disabilities and passengers travelling with animals
- Advising in relation to a regulatory inquiry from Ontario's Ministry of Government and Consumer Services regarding the contents an international passenger carrier's frequent flyer mileage program
- Managing negotiations, back wage violation settlements, and governmental compliance with the US Department of Labor on behalf of a large air cargo company
- Assisting and advising an international airline to obtain all necessary legal approval, licenses and permits, and compliance to operate at Miami International Airport cargo facilities
- Advising LATAM airlines regarding accession to the Oneworld Alliance and associated FFP, codeshare, contractual, regulatory and competition issues
- Advising the holding company of Avianca regarding EU ownership and control rules, and potential traffic rights, in respect of a potential investment in an EU carrier
- Assisting Turkish Airlines in all legal aspects related to the commencement of scheduled operations between Istanbul and Caracas, including representations before the Venezuelan CAA
- Assisting Alitalia in certain administrative procedures to avoid suspension of its commercial licence in Venezuela
- Defending Dutch Antilles Express Airlines before the Venezuela CAA in relation to a revocation of its permission to fly into/out of the State

### Key contacts

North America:  
Jeff Ellis

Latin America:  
Peter Macara

## MEA

- Advising a UAE government department on its aviation transport regulations
- Advising an international helicopter operator with respect to its operations within Saudi Arabia
- Advising on ownership and control issues for commercial airlines
- Advising on security clearance issues involving foreign aircraft operators and foreign registered aircraft in the UAE
- Liaising with the General Civil Aviation Authority on the introduction of a new drone/unmanned aerial system (UAS) regulations in the UAE
- Advising the Africa Development Bank and other African organisations on the Implementation of African Open Skies (Yamoussoukro Decision)
- Assisting with a study into opening aviation markets with the 6 countries of the Gulf Cooperation Council
- Assisting Comair Limited in its successful objection to an application for scheduled air services licenses by Safair Operations (Pty) Ltd
- Assisting Comair Limited in reviewing and setting aside a decision by South Africa's Air Services Licensing Council that it was in breach of the statutory ownership and control provisions of South Africa's Air Services Licensing Act
- Assisting SA Express with making submissions to the South African's CAA in respect of its decision to ground SA Express aircraft
- Assisting two airlines with an application for an Aircraft Maintenance Organisation license and their interaction with the South Africa NCAA

### Key contact

MEA:  
Michael Nelson



## APAC

- Advising a major APAC carrier on passenger and other consumer rights issues in relation to a possible route opening to/from South Korea
- Advising a major charter airline on the commencement of all freighter operations to Hong Kong
- Advising APAC airlines on the recovery of ground handling operations in Taiwan following the collapse of a Taiwanese airline
- General counsel advisory work in the establishment of scheduled airline operations (LCC and full service) for start-up airlines in the Maldives, Macau and Hong Kong
- Advising a Chinese Corporation on the acquisition of a Hong Kong airline
- Advising international airlines on passenger rights in numerous countries including greater China, Japan, South Korea, Singapore, Malaysia and the EU
- Advising the HK Board of Airline Representatives and Carrier Liaison Group on competition law issues arising from collective decisions on the pricing of air fares, and security and fuel surcharges
- Advising an international UK airline on the regulations and laws relating to marketing and selling holiday packages in Hong Kong, Mainland China, South Korea and Japan
- Advising an international airline in APAC on anti-corruption laws in Hong Kong and Singapore
- Supporting an international airline in APAC in cargo fuel surcharge competition law proceedings in Australia, by providing advice on aviation and competition law issues and industry practices in Hong Kong and Singapore
- Advising airlines on the establishment of e-freight trading lanes.
- Advising a major US airline on Hong Kong government clearance of code share alliances
- Advising a Macau based airline on a sub-concession agreement for government clearance to operate certain international flights
- Advising a Middle East airline on the commencement of flights into Mainland China
- Advising large international airline in respect of allegations of fraud in the Hong Kong market
- Advising an airline in Hong Kong on the introduction of close circuit TV cameras in passenger aircraft cabins
- Advising airlines in Hong Kong on World Health, ICAO and IATA regulations relating to the communicable diseases
- Advising HK airlines on travel agent regulations in Hong Kong, the sale of connecting services sold with airline tickets and agency wording for sales of connecting services sold with airline tickets
- Advising a HK airline in respect of a US SEC investigation into insider dealing on flights

### Key contacts

Asia:  
Peter Coles  
Paul Freeman

Australasia:  
Maurice Thompson

## Non-contentious commercial

We undertake a wide variety of non-contentious commercial work supporting airline interests.

[Click to see our experience by region](#)

## UK

- Drafting airline conditions of carriage, and advising on their compliance with aviation and consumer legislation
- Advising airlines in relation to alliance agreements, code share and frequent flying programmes
- Assisting with the negotiation for and drafting of a proposed agreement for a common ground service equipment scheme for use at a major international airport
- Drafting parts trading terms and aircraft maintenance agreements, including long term MRO agreements
- Drafting and assisting with the negotiation of a wet lease agreement to fill gaps in an airline's operational requirements due to unexpected aircraft unavailability, and advising in relation to necessary regulatory approval for the same
- Drafting an ACMI wet lease agreement to provide aircraft for a scheduled helicopter service

- Advising in relation to a seat sale agreement made between a charterer of airline flight accommodation and a major international tour operator
- Drafting charter broker conditions and assisting in development of web-based sales platform

### In relation to slot transactions:

We have acted and advised in relation to over 60 slot related projects of various kinds, including:

- Assisting British Airways with its purchase from the administrators of Monarch Airlines Ltd of Monarch's entire portfolio of take-off and landing slots at London Gatwick Airport
- Acting for Flybe in its sale and leaseback of its London Gatwick Airport slot portfolio
- Developing and drafting an innovative tripartite structure for the disposal of London Heathrow Airport take-off and landing slots by two carriers, attracting a record sale price

- Developing, drafting and negotiating a framework agreement to govern inter-company slot transfers within a European air carrier group
- Advising an air carrier regarding the operation of slots under remedies granted by the EU Commission
- Advising a major European airport regarding the interrelation between the EU Slot Regulation and the domestic environmental legislation of its home State
- Advising a major European airport regarding the implementation of 'local rules' under the EU slot regulation

### Key contacts

UK:  
Tom van der Wijngaart  
Roger Whipp

## Europe

### France:

- Drafting airline general conditions of carriage, and advising on their compliance with aviation and consumer legislation
- Advising on the transfer of aircraft titles and certificates as between two airlines on their merger
- Assisting airlines to prepare and structure their communications with the press
- Advising on the creation of an engine pool between two major airlines
- Advising on fuel supply issues in relation to a major air carrier

### Spain:

- Reviewing commercial agreements related to loyalty programmes, promotions and the provision of commercial services to airlines
- Reviewing and recommending changes to General Conditions of Carriage

### Key contacts

France:  
Fabrice Pradon  
Grégory Laville de la  
Plaigne

Spain:  
Enrique Navarro

## Americas

- Reviewing and drafting air carrier conditions of carriage, code share and indemnification agreements
- Advising a major international carrier in relation to code share and connecting carrier relationships
- Drafting and negotiating air charter and interline agreements for a California based freight forwarder
- Assisting an international passenger carrier in negotiating commercial advertising and promotional contracts
- Assisting an international passenger carrier respond to commercial activities that infringed on its trademark
- Drafting an employment handbook for international passenger carrier to ensure compliance with California law
- Assisting an international passenger carrier restructure its US workforce and negotiating employee severance agreement
- Advising a major Latin America carrier regarding aircraft maintenance contracts
- Advising and assisting a US carrier in the negotiation of a wet lease of a B737-800 aircraft to a Venezuelan airline

### Key contacts

North America:  
Jeff Ellis

Latin America:  
Peter Macara

## MEA

- Acting for a Middle Eastern airline on its joint venture in relation to projects in Abu Dhabi, Dubai and Ras Al Khaimah, including property due diligence, drafting and concluding leasing and ownership arrangements, and drafting and negotiating project development documentation
- Advising on the disposal of 100% of the shares in three subsidiaries by ADAC to Etihad Airways
- Advising a KSA airline on the unique divestment and privatisation of one of its wholly owned service providers
- Acting for a number of airlines on establishment and licensing in the UAE
- Advising a UAE based aviation conglomerate on the establishment of airport lounge, meet and assist, and passenger chauffeur drive services in Bahrain and India
- Advising a Middle East ground handling provider on the purchase of an aircraft cleaning business in Australia
- Advising various FBOs, aircraft operators and owners on aircraft management agreements
- Drafting numerous agreements and contracts in relation to the new facilities at Dubai International Airport, Al Maktoum International Airport (Dubai World Central International Airport), and reviewing standard contracts for ongoing work at Concourse 3
- Advising a Gulf-based international airline on all aspects of its IT procurement and licensing
- Advising a number of airports on their general commercial requirements – including a bidding and procurement process, catering, facilities management, maintenance, security, fuel supply, and franchising/retail exploitation
- Advising on the operation and maintenance of one of the world’s largest airport baggage handling systems licence agreements
- Advising a Middle East ground handling company on strategically important long term airport concessions and lease agreements in South East Asia and the Middle East
- Handling a Middle Eastern airlines’ extensive trade mark portfolio throughout the world, including prosecuting its core brands in over 60 jurisdictions
- Advising on the procurement of global media planning and buying contract for a major international airline
- Managing a Middle Eastern airline’s trade mark portfolio in over 70 jurisdictions, and providing related advice to the management teams on brand strategy and implementation
- Advising a national East African airline on the restructuring of its workforce and resulting redundancies in UAE, Oman and Kingdom of Saudi Arabia
- Advising a UAE low cost carrier on various employment matters, including disciplinary and termination issues, implementation of staff policies and recoupment of staff training costs
- Providing employment law training to HR personnel for a national GCC airline

### Key contact

MEA:  
Michael Nelson

## APAC

- Advising numerous APAC airlines on codeshare agreements, ground handling agreements, overflight agreements, general conditions of carriage, cargo and AWB terms
- Advising a major European airline on the formation of joint venture in Hong Kong for logistics operations
- Advising APAC airlines on interline and intermodal agreements for passenger services with buses, ferry and railway companies
- Advising an airline on landing gear and exchange agreements with a MRO
- Advising a Middle East airline in respect of extra territorial tourism law in the PRC and contracts with travel agents and tour operators
- Advising a Hong Kong airline group on block space agreements with tour operators and travel agents
- Advising on the restricting of joint ventures of a major APAC carriers within Asia
- Advising an international airline on all legal and regulatory issues arising from the appointment of a general sales agent in Australia
- Acting for airlines in relation to the introduction of e-freight, use of e-AWBs and processes; and also advising regularly in relation to the online sale of passenger tickets and related payments
- Acting for start-up airlines in APAC on a range of issues including advising on the hire of pilots and management, training bonds, aircraft type certification, handling of cargo and marketing
- Advising airlines in relation to foreign direct investment decisions in Hong Kong, Mainland China, the Maldives, Philippines, Singapore, Taiwan and the US, including due diligence, ownership and control, structures, insurance and acquisitions
- Advising airlines on GDPR compliance, including drafting new policies for data privacy, processing, transfers and data protection officers
- Advising airlines in the Maldives, Macau, Singapore, Hong Kong and Taiwan on dry and wet leases, ACMI and special lift charters
- Advising a Hong Kong airline on emergency charters from crises in Indonesia and Thailand
- Advising an APAC airline on US White House charters

### Key contacts

Asia:  
Peter Coles

Australasia:  
Maurice Thompson

## Finance & leasing

We provide advice in relation to all types of financing and leasing: export credit; commercial; finance lease; tax-driven leases; pre-delivery finance; AFIC and Balthazar supported; operating lease; wet lease; and charters.

Our standing in this area has been recognised by numerous awards, including recently:

- *Airline Economics 2018 Lease Deal of the Year*. Acting for Turkish Airlines on CACIBarranged French tax lease financing of a Boeing 777-F aircraft with an IGBC put option
- *Global Transport Finance 2018 Aircraft Tax Lease of the Year* – acting for Royal Air Maroc on AFIC-supported French tax lease financing of a Boeing 737-MAX-8 aircraft and a Boeing 787-9 aircraft
- *Airfinance Journal 2018 Operating Lease Deal of the Year* – acting for airBaltic on the sale and leaseback of two A220-300 aircraft with FPG Amentum

- *Airfinance Journal 2018 Islamic Financing Deal of the Year* – acting for Al Ahli Bank of Kuwait, First Abu Dhabi Bank and Noor Bank on an unsecured revolving \$800 million credit facility with Dubai Aerospace Enterprise
- *Aviation Finance Law Firm of the Year*, Airline Economics conference, Dublin, 2016

[Click to see our experience](#)

Members of our team regularly write on this topic:

- Mark Bisset is the editor of the annual Lexology publication *Getting the Deal Through – Aviation Finance and Leasing*
- Roger Whipp was the editor of *Aviation Finance: A Global Guide From Practical Law* (2016)
- Grégory Laville de la Plaigne, wrote the chapter on Registration and Deregistration of Aircraft in *Le droit du financement des aéronefs*, 1st edn. (ed. Vincent Correia & Cyril-Igor Grigorieff, 2017)



- Acting for airBaltic in relation to the first Export Development Canada financing for the C Series 300 aircraft (now A220-300), and multiple sale and leasebacks including with CMB Leasing and Avation
- Acting for Turkish Airlines in multiple financing transactions, including: the French tax-optimised leasing and financing of 8 Airbus A321 & A330 aircraft; the finance leasing of 2 Boeing B737 aircraft with a leading Chinese bank; the sale and leaseback of 16 Airbus and Boeing aircraft; the carrier's first AFIC supported transaction; and the carrier's first Balthazar supported transaction (which was also the first Balthazar transaction in the aviation market)
- Acting for Wizz Air UK in relation to the leasing of its Airbus A320 and A321 aircraft
- Acting for Air Arabia in relation to the delivery financing for 6 Airbus A320 aircraft and the leasing of 6 Airbus A321neo aircraft
- Advising Aeroflot on the sale and leaseback of 2 Boeing B777 aircraft, and the sale and leaseback of 7 Airbus A320 aircraft
- Advising a major airline on the sale and leaseback of 6 Boeing B787-8 aircraft
- Advising a major airline on the financing of 5 737-Max8 aircraft under AFIC insurance and with an Italian Tax Lease structure
- Representing a start-up airline in Asia on the pre-delivery payment financing of 5 Airbus A320 aircraft with an international operating lessor
- Acting for Royal Air Maroc on AFIC-supported French tax lease financing of a Boeing B737-MAX-8 aircraft and a Boeing B787-9 aircraft
- Acting for an Asian aircraft lessor on the leasing of two Airbus H125 helicopters into India
- Representing Aigle Azur in respect of lease novations
- Representing Royal Jordanian Airlines in the financing and delivery of 2 Boeing B787-8 aircraft
- Advising Alitalia on aspects of its fleet restructuring following entering into administration

### Key contacts

Mark Bisset  
Roger Whipp  
Michael Nelson

## Fleet procurement

We regularly advise airline clients on fleet procurement programmes, including engine manufacturer, spare engine, products, power-by-the hour and total care agreements, spare engines, and trading of pre-owned aircraft.

We also have relatively unique experience in engine OEM flying hour support arrangements and special guarantees, including fuel guarantees.

We have extensive aircraft and parts trading experience, acting on numerous aircraft and aircraft equipment sale and purchase transactions.

[Click to see our experience](#)

- Acting for airBaltic in relation to the purchase of up to 50 C Series 300 aircraft (now Airbus A220-300), including the first delivery as launch customer of this new aircraft type
- Advising Aegean Airlines on its purchase order for 20 A320neo and 10 A321neo aircraft, as well as related aircraft and engine options
- Advising Flynas on its purchase of 80 Airbus A320neo, including its engine procurement from and maintenance with CFM
- Advising British Airways in connection with the Total Care maintenance support agreements with Rolls-Royce that support the Trent engines on its Boeing B787 and Airbus A380 fleets
- Acting for easyJet on the warranties, special guaranties and maintenance support of CFM LEAP engines selected for its Airbus A320neo fleet
- Representing Hawaiian Airlines on an A330neo fleet order with Airbus and engine support arrangements with Rolls-Royce
- Acting for Hawaiian Airlines on warranties, special guaranties and maintenance support of Pratt & Whitney GTF engines selected for its Airbus A321neo fleet
- Advising on rights, obligations and liabilities under aircraft sale and purchase agreements
- Advising a Korean start-up low cost carrier on the acquisition of 8 Airbus A320 aircraft and procurement of engines from CFM
- Acting for a Middle Eastern low cost carrier on its acquisition of up to 50 Boeing B737 Max aircraft
- Acting for AerFin on the purchase from Saudia of 15 Embraer E170-100LR aircraft, and numerous other aircraft trading projects
- Advising China Southern Airlines on the Total Care Agreement and Product Agreement with Rolls-Royce to support its Airbus A380 fleet
- Advising Hawaiian Airlines on the GTA and flight hour maintenance agreement with GE to support an order for GENx powered Boeing 787-9 aircraft
- Advising an African carrier on the Total Care Agreement with Rolls-Royce to support an order for Airbus A330-900 aircraft
- Advising a South American low cost carrier on the GTA and maintenance support agreement with CFM to support an order for Airbus A320 and A320neo aircraft

### Key contacts

Mark Bisset  
Roger Whipp  
Michael Nelson

## Commercial dispute resolution

Clyde & Co is one of the largest dispute resolution firms in the world. This means that we can handle most, if not all, commercial disputes in which an airline gets involved, wherever it may be, and whether it involves court proceedings, arbitration or mediation.

Our ability to call upon our Aviation Plus experience, especially our team's expertise in **Finance & Leasing** and **Regulatory**, often allows us to give added value and insight when dealing with aviation related disputes.

The firm also has wider capabilities in relation to **General disputes**.

[Click to see our experience by region](#)

## UK

- Acting for the parent company of Alitalia in its successful defence in the English Commercial Court of a USD 260 million damages claim for alleged repudiation of a contract for the lease of 13 Airbus A320 family aircraft
- Acting for Ethiopian Airlines in its USD50 million+ product liability claim against manufacturers in the English Commercial Court for fire damage done to one of its Boeing B787 Dreamliner aircraft whilst parked at Heathrow Airport in 2015
- Acting for Tarom in its dispute with Jet2.Com in the English Commercial Court and Court of Appeal concerning the alleged renunciation of an aircraft maintenance and servicing agreement
- Acting for Air France in its defence in the English Commercial Court of a claim by Eagle Leasing asserting a right to terminate an agreement for the sale and purchase of 6 Boeing B747 aircraft (valued at USD 180 million) due to alleged multiple defects in the condition of the aircraft
- Acting for an airline in an ICC arbitration concerning a multi-million dollar claim for the return of maintenance reserves paid under a long term maintenance agreement interrupted by the imposition of sanctions
- Acting for Pakistan International Airlines in its English Commercial Court dispute with members of the Association of Pakistan Travel Agents concerning their remuneration entitlement and termination of their agency
- Advising airlines on termination rights in respect of aircraft purchase agreements, IFE supply agreements and ground handling agreements
- Acting for an airline in obtaining a settlement via mediation with a ground handling service provider in respect of damage to its aircraft sustained during the course of cleaning by agents of that service provider
- Advising a major airline in relation to the application of a major UK airport's terms and conditions of use, and their effect in relation to a potentially substantial claim for economic loss caused by a temporary closure of that airport
- Advising a major international airline in respect of rights, and consequences, of termination of a ground handling agreement for services at a major UK airport

### Key contacts

Aviation related work:  
Rob Lawson QC  
Patrick Slomski

General disputes:  
Chris Burdett

## Europe

### France:

- Acting for a major EU airline in an ICC arbitration (in Paris) in a multi-million dollar product liability claim against an aircraft manufacturer in respect of damage to a commercial passenger aircraft caused by a landing gear collapse
- Acting for a foreign airline in a claim brought against it by an aircraft manufacturer in relation to indemnity provisions of sales contracts
- Acting for a French airline in a multi-jurisdictional commercial dispute concerning a wet lease agreement, where one of the parties was subject to insolvency proceedings in the UK
- Representing a major international airline in a commercial dispute with a hotel in Paris
- Acting for an airline in a dispute with a MRO concerning non-payment of services

### Spain:

- Acting for a major airline in Spain in respect of an International ICC arbitration concerning alleged breaches of a maintenance contract

## Americas

### North America:

- Defending a global aviation ground handling company against multiple employment class action suits in California

### Key contacts

France:  
Fabrice Pradon  
Grégory Laville de la Plaigne

Spain:  
Enrique Navarro

North America:  
Kevin Sutherland

Latin America:  
Peter Macara

## MEA

- Representing a government entity in defending a USD 1 billion claim from a contractor arising from the finishes, systems and mechanical and electrical works at the Gulf Cooperation Council's busiest airport
- Advising a Saudi low cost carrier on a dispute surrounding the wet leasing of aircraft
- Advising on a successful DIAC arbitration, representing a specialist system subcontractor claiming USD 77.5 million in respect of substantial works performed at Concourse 2, Terminal 3, Dubai International Airport
- Acting for a Middle East airline in relation to disputes over delivery conditions in connection with the sale and purchase of two Bombardier Learjet aircraft
- Advising a large Saudi corporate in relation to the repossession of an aircraft and claims under the financing documents by a major European bank
- Advising a Middle East low cost carrier on a dispute over the return of leased aircraft

## APAC

- Acting for a major Asian carrier in challenging performance warranties in respect of engine and airframe contracts
- Advising an APAC airline charter company on the recovery of damages arising from the breach of a marketing agreement with a Mainland Chinese tour operator. Proceedings in HK
- Advising a Hong Kong airline on the recovery of damages from the HK airport after aerobridge collapse damaged an aircraft and caused injuries
- Advising a Hong Kong airline on the recovery of damages following excrement damage to hull of a Boeing 747-400F after a cattle charter
- Advising a Chinese airline in respect of damage to an aircraft engine in respect of damage done to an aircraft engine during the performance of a 'Water Arch Ceremony' in China

### Key contacts

MEA:  
Michael Nelson

Asia:  
Peter Coles

Australasia:  
Maurice Thompson

## Debt recovery

We have many years' experience acting as counsel for IATA, including its member airlines, against major clearing banks over liability to account for trust monies arising from ticket sales, as well as for related debt recovery actions, and asset tracing, against defaulting travel agents.

We also have wide experience in debt recovery actions (including asset seizures and bankruptcy proceedings), across multiple jurisdictions including the UK, France, Spain, Italy, Moldova, Ukraine, Russia, Afghanistan, Bahrain, Dubai, UAE, Hong Kong, Mainland China, Philippines, Taiwan, Thailand and the US.

[Click to see our experience](#)

We offer a no win, no fee service for aviation debt recovery in Mainland China. Further details are available [here](#).

We have also recently begun to work in conjunction with a pioneering provider of dispute finance (i.e. third party funding), in relation to work of this nature. This has included closing a Corporate Portfolio Deal with an aviation client, which is the largest Corporate Portfolio Deal in the history of disputes funding. Further details are available from Ben Knowles and shortly also on our website.



- Acting for 71 IATA member airlines in a potential multi-million pound fraud by a travel agent, including working alongside the City of London Police Fraud Squad
- Advising a major airline in relation to recovery of debts due to the fraudulent activity of one of its sales agents in France
- Assisting with the recovery of a debt owed in Spain as between two airline
- Advising airlines in Hong Kong on the recovery of pilot training expenses following the breach of training bonds
- Advising a Middle East airline on the recovery of freight charges from a Hong Kong and Guangzhou based GSA, including forced bankruptcy proceedings in Hong Kong
- Assisting a European airline with a recovery in France in respect of non-payment of invoices for the maintenance of aircraft
- Acting for IATA member airlines before French commercial and criminal courts on fraud and debt recovery actions
- Advising a UAE airline on the recovery of unpaid lease rental payments
- Representing a European carrier in respect of an attempted seizure of one of its aircraft in England to meet judgment debts under Regulation (EC) 261/2004
- Acting for major MRO in English Mercantile Court debt recovery proceedings against European charter operator

### Key contacts

UK:  
Chris Burdett  
Tom van der Wijngaart

France:  
Fabrice Pradon  
Grégory Laville de la  
Plaigne

Spain:  
Enrique Navarro

North America:  
Kevin Sutherland

Latin America:  
Peter Macara

MEA:  
Michael Nelson

Asia:  
Peter Coles

Australasia:  
Maurice Thompson

## Principal members of our Aviation Plus team

### UK

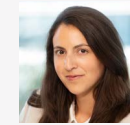


Lazar Vrbaski

Associate

+44 (0) 20 7876 6722

lazar.vrbaski@clydeco.com



Inês Afonso Mousinho

Lawyer

+44 (0) 20 7876 4401

ines.afansomousinho@clydeco.com



Natasha Mehta

Associate, Aviation Finance

+44 (0) 20 7876 6124

natasha.mehta@clydeco.com

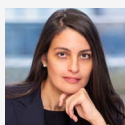


Jess Harman

Associate

+44 (0) 20 7876 4339

jess.harman@clydeco.com



Nourchene Cherif

Associate

+44 (0) 20 7876 6104

nourchene.cherif@clydeco.com

Click on a name to see their biography  
and aviation experience.

## Europe

### Paris

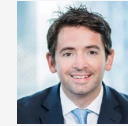


### Madrid



## MEA

### Dubai



Ajai Ramakrishnan

Senior Associate

+97 1 4384 4144

[ajai.ramakrishnan@clydeco.com](mailto:ajai.ramakrishnan@clydeco.com)

### Johannesburg



## North America

New York



San Francisco/Los Angeles

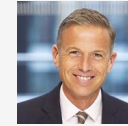


Miami

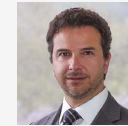


## Latin America

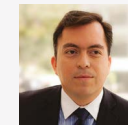
Rio de Janeiro



Mexico City



Caracas



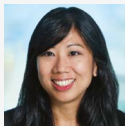
## Asia

### Hong Kong



Julie Marchese  
Legal Manager  
+852 2287 2866  
julie.marchese@clydeco.com

### Singapore



Hui Yain Yeo  
Legal Assistant  
+65 6240 6135  
huiyain.yeo@clydeco.com

### Shanghai



### Australasia



## Value added services

We offer a number of value added services to our clients.

We frequently deliver tailored training seminars to our clients, on topics of interest/relevant to their needs.

Clients can sign-up to receive our quarterly Aviation Newsletter and legal updates on relevant industry topics, as well as our Daily Aviation Bulletin.

As a firm, we hold over 100 client seminars each year, covering a wide variety of topics and covering all aspects of contentious and non-contentious law. These include a regular series of aviation related talks held in our London offices, as well as an annual two day Air Law Workshop held in conjunction with the Institute of Air & Space Law, Leiden University, to which our clients are invited.

Every other year we hold a major international conference on aviation law in London – the Beaumont Conference – to which our clients are invited.



**If you would like more details in relation to the above, or wish to attend any of these events, please contact Elaine Middleton at [elaine.middleton@clydeco.com](mailto:elaine.middleton@clydeco.com).**

Members of our aviation practice also speak regularly at international aviation events, such as the IATA Legal Symposium, IATA RIM events, the Willis Towers Watson Aviation Conference, the European Air Law Association's Annual Conference, ATLA's Aviation Law Americas Conference and the ALAANZ Annual Conference.

## Corporate

We are a powerhouse for Corporate and M&A work, particularly across the MENA region in the aviation sector. We have the largest corporate practice of any international firm in the region with 20 partners and 70 lawyers. Our corporate lawyers have assisted clients in realising their investments, gaining access to new markets through organic growth/strategic acquisitions and in achieving their corporate objectives for more than 25 years.

[Click to see our experience](#)



Experience includes:

- Acting for management on the acquisition of Flight Support Limited, a ground-handling business, at Liverpool, Manchester and Isle of Man airports
- Advising an airline on aircraft procurement, from drafting responses to manufacturers for proposals, sourcing and acquisition of aircraft, drafting specifications on the fitting out of aircraft, delivery issues, taking delivery of the aircraft, and advising on contracts with providers of maintenance services to the aircraft
- Advising a business jet operator on a change of structure and joint venture and general commercial operations in the Kingdom
- Advising Aerospace Jet on general corporate and regulatory advisory services. We also carried out a review and amendment of MOUs and Intermediary Agreement
- Acting for a Middle Eastern airline on its joint venture in relation to projects in Abu Dhabi, Dubai and Ras Al Khaimah, including property due diligence, drafting and concluding leasing and ownership arrangements and drafting and negotiating project development documentation
- Advising on the disposal of 100% of the shares in three subsidiaries by ADAC to Etihad Airways
- Advising a KSA airline on the unique divestment and privatisation of one of its wholly owned service providers
- Advising a UAE based aviation conglomerate on the establishment of airport lounge, meet and assist, and passenger chauffeur drive services in Bahrain and India
- Acting for a number of airlines on establishment and licensing in the UAE
- Advising Middle East Propulsion Company (MEPC) in the Kingdom on maintenance contracts and government tenders
- Advising LOT Polish Airlines on Amadeus IT Services Agreement
- Advising Kenya Airways on IT Services Agreement
- Acted for airports including Brighton City Airport, Cornwall Airport and Southend Airport on various commercial matters
- Acted on the sale of aviation services business
- Acted for Alpha LSG (aviation catering) on various corporate and commercial matters
- Acted for Aveillant (now part of Thales) on provision of radar mitigation scheme to East Midlands Airport
- Acted in relation to the provision of services for Luton Airport
- Acted for Vivo Energy on various aviation fuel supply agreements
- Acting on a variety of transactional and commercial contracts, including sale and purchase agreements for both aircraft and engines; engine leasing agreements; teardown contracts; agency agreements; warehousing, consignment and distribution agreements; power by the hour contracts; and general supply, repair and service agreements

### Key contacts

MEA:  
Abdulaziz Al-Bosaily  
Jonathan Silver

UK:  
Nick Purnell  
Victoria Green



## Employment, immigration & pensions

Our team advise on all aspects of employment law including the implications of TUPE, drafting employment contracts and company policies, working hours and leave entitlements, union-related issues, the operation of a shift pattern, flexible work patterns and temporary work arrangements in compliance with immigration and labour regulations. We have experience advising airlines, aircraft and rotor-wing operators, crew resource agencies and ground handling companies on a number of employment related matters.

We also have dedicated pensions and immigration teams, providing a unified solution on issues such as the restructuring of pensions arrangements or discrimination which can create both significant employment law and pensions issues.

We offer clients a global service with leading practices in the UK, the Middle East, Hong Kong, Singapore and Australia. In jurisdictions where we do not have a direct presence, through our relationships with leading employment law practices as part of our membership of L&E Global we have a truly global offering.

[Click to see our experience](#)



Experience includes:

- Advising Kuwait Airways on all its HR matters from TUPE issues on outsourcing of ground staff; relocation from Baker Street to Heathrow; recovering training costs and numerous employee relations issues
- Acted for a private jet rental company and its 2 directors in relation to a £ multi-million high court claim against them for breach of fiduciary duty and diverting business opportunities
- Acting for an international airline in Tribunal proceedings involving unfair dismissal, bullying, long term sickness absence and discrimination
- Advising a commercial airline on TUPE issues arising out of the outsourcing of its UK sales team
- Advising on the closure of a defined benefit pension scheme for UK staff of a flag carrier
- Advising an overseas flag carrier airline on an ill health early retirement dispute with a member
- Advising on UK pensions law applicable to a cross-border multi-employer pension scheme in the airline sector
- Advising a UK airline on its contract with a major employee benefits consultancy for the management of its UK pension arrangements
- Advising Kenya Airways on employee terminations in Jeddah
- Advising Flydubai on various employee issues, the application of federal law and emirate law, drafting policies and contracts for all levels of staff, advising on health and safety issues
- Advising ExecuJet on crew secondments to a client and the application of local law in UAE and Oman; drafting employee secondments agreements, contracts and commercial agreement with the client
- Advising Cathay Pacific on managing employee relations issues, employee terminations, and secondment of employees to TSAs
- Advising Gama Aviation on employee relations issues, employee exit and termination, drafting employment contracts and handbooks
- Advising on terms of engagement of senior representatives (as employees and consultants) and pilot training bonds
- Defended airlines and ground handlers from health and safety investigations and prosecutions concerning acts/ omissions of employees, statutory employee compensation and excess common law personal injury and fatal damages claims
- Extraction of pilots from Hong Kong custody following alleged misconduct
- Represented companies in alleged breach of employment contract terms

### Key contacts

UK:  
Nick Elwell-Sutton  
Charles Urquhart  
Heidi Watson

MEA:  
Sara Khoja

Hong Kong:  
Simon McConnell  
Peter Coles

## Real estate

We act for a range of airlines and service providers on departures and arrivals lounges, ticket desks and ramp leases, leases of crew rooms and management and letting of administration offices.

We understand that, whilst property isn't your core business, your property portfolio is likely to be one of your most expensive assets, after your fleet of aircraft. Therefore we fully understand the importance of not only managing portfolios and premises, but also making them work commercially.



[Click to see our experience](#)

Real estate experience includes:

- Acting for a Middle Eastern airline regarding their lease and fit out agreements for the redevelopment and extension of an existing VIP lounge extension at Terminal 3, Heathrow Airport
- Acting for a major logistics company on a licence agreement for large warehouse and chiller facilities- licence fee GBP 55,000 per month
- Acting for a continuous licensed airport on forfeiture advice

---

### Key contacts

Daniel Keys

Planning experience includes:

- Advising Peel Airports in: (i) securing planning permission following a lengthy call-in inquiry for the comprehensive redevelopment of RAF Finningley, which is now operating as Robin Hood Airport Doncaster Sheffield; (ii) promoting an airspace change proposal and addressing the CAA’s concerns regarding a post-implementation review, in each case at RHADS; (iii) securing planning permission for a new passenger terminal and related employment/residential development at Durham Tees Valley Airport; (iv) objecting (and, ultimately, securing a compromise agreement with a helicopter operator) proposing a new operation close to Durham Tees Valley Airport; and (v) advising in connection with the master plan for Liverpool John Lennon Airport;
- Securing planning permission, on behalf of the airport owner, for a new passenger terminal at Coventry Airport, which included 2 lengthy back-to-back public inquiries (including the longest enforcement inquiry on record) and in the face of a substantial objection from Birmingham Airport about potential airspace conflict;
- Advising the owner of London Southend Airport in: (i) securing planning permission for a runway extension following completion of a complex Section 106 Agreement, including successfully defending a claim for judicial review in the Court of Appeal; (ii) securing a faculty from the Diocese and a road closure order (following a further inquiry) to facilitate the runway extension; (iii) promoting a compulsory purchase order; (iv) promoting an order with the CAA pursuant to the Civil Aviation Act to secure rights over third party land required for the installation of new approach lights; (v) advising in connection with night flight restrictions; (vi) securing various compromise agreements with wind farm operators in the vicinity of the Airport; and (vii) preparing new bye-laws; and
- Advising Newquay Cornwall Airport on various planning-related matters.

**Key contacts**

Ian Ginbey  
 Stephen Webb  
 Brian Greenwood

## General disputes

The firm has the largest dispute resolution practice of any UK law firm and with our international spread we are specialists in alternative dispute resolution and international arbitration in both developed forum and emerging market centres. Our dispute resolution team includes over 400 litigators worldwide and more than 70 partners who are international arbitration specialists with considerable experience in large scale disputes in all of the major international arbitration hubs.

Our group has three key elements: proven disputes expertise, deep sector understanding and global capability. Recognised as 'pre-eminent' and 'elite' by the directories, we take a practical, commercially-minded approach to resolving disputes across the full range of sectors. We understand the different ways a dispute can be resolved, and are flexible enough to respond to the idiosyncrasies of each dispute and our client's needs as they develop. As a result of our close sector alignment, resolving disputes is in our DNA, and we stand out as one of the leading practices in the market.

We have a central position in the aviation market with a long tradition of representing major airports, carriers and ground handling agents in respect of liability and advisory matters.

[Click to see our experience](#)

Our UK and European operations have been the foundation from which the firm has expanded and this region includes some of the most long-established Clyde & Co offices. With 10 offices in the UK including our London head office and offices in Paris, Nantes, Dusseldorf, Hamburg, and Madrid, we have over 700 lawyers widely recognised for their expertise across all practice areas. This capability can also access an extensive network of European based counsel with whom we have trusted working relationships.

We protect client interests during litigation in the courts, whilst always being mindful of the potential economic and publicity benefit in achieving early resolution where necessary.

### Arbitration

Experience includes:

- Acting for an offshore firm in a USD 1 billion plus LMAA arbitration against a South American state owned company for breach of contract and expropriation of assets
- Prevailing in a London arbitration where the Panel ruled under New York law, the insured was not entitled to any coverage with respect to its \$200 million claim arising out of its manufacture and sale of allegedly defective pacemakers
- Acting for a major subcontractor in a Supreme Court of Victoria proceeding involving AED 330 million in claims arising from the employer's termination of the main contractor to the Minerva coal mine project
- Represented Petrobras in an UNCITRAL arbitration emanating from a joint venture agreement for the construction and operation of a power generation facility

### Key contacts

Ben Knowles

## Commercial litigation

Experience includes:

- Representing one of the largest airline manufacturers in a class action involving multiple jurisdictions and product liability
- Defending 38 law firms sued in a third party claim to a CAD 750 million class action suit by Canadian dealerships alleging violation of various Canadian franchise acts by an auto manufacturer and violation of duty of care by a major Canadian law firm
- Representing the Australian arm of a multi-national catering company in connection with an alleged listeria contamination, involving an indemnity claim by the carrier in respect of 180 plus claims pursued in Australia, and an investigation into the downstream supply chain
- Defending a class action suit of CAD 370 million alleging conspiracy in price fixing of oil and gas in the Province of Quebec in violation of the Quebec Civil Code and Competition Act
- Acting for Singapore-based marine manufacturing client in claims against former employees for setting up competing business in Malaysia, siphoning business and conspiring to disrupt business by unsettling the workforce
- Advising a UAE-based investment fund on a post-acquisition dispute with a vendor and current anchor tenant relating to the maintenance of a large commercial office building in Riyadh

## Key contacts

Chris Burdett



## Insolvency

Given the ease with which companies can now invest in and interact with other jurisdictions, and how swiftly and easily funds can be transferred around the world, a significant number of insolvencies involve cross-border issues.

We act on both contentious and non-contentious matters, including those involving fraud, across a wide range of sectors. We understand our clients' needs and offer a down to earth approach, with on-going support at every stage of the process.

We advise on administrations and CVAs; both formal and informal procedures including; all forms of receivership and liquidation; Insolvency Act claims; trading claims and fraud; directors' duties; solvent and insolvent restructurings.

[Click to see our experience](#)

Experience includes:

- Advising British Airways on all insolvency related issues arising out of their purchase of the entire portfolio of take-off and landing slots at London Gatwick, formerly held by Monarch (now in administration). The slots were sold by the administrators and represented the largest asset of the administration estate
- Acting for British Airways in relation to issues arising out of the administration of one of their critical suppliers. This involved negotiating with the administrators in order to protect BA's interests, without being held to ransom by the supplier. With the support of BA, the administrators were able to continue trading the business, until such a time as a sale of the supplier's business and assets could be achieved
- Acting for the administrators of a GBP 70 million turnover aviation recruitment business in effecting a pre-packaged sale of its business and assets
- Acting for a French airline, in relation to the proposed voluntary liquidation of one of their ticketing agents. We also advised in relation to the airline's claim in the insolvent estate, pursuant to the provisions of a wet lease agreement brokered by the agent and entered into between the client airline, the agent and other airlines. This included advice in relation to the nature of the deposit provided on inception of the wet lease agreement and whether our client's claim in relation to the deposit would be treated as a secured claim in the insolvent estate
- Acting for IATA in relation to the proposed voluntary liquidation of a number of ticketing agents involved in frauds against IATA (and others). The agents placed themselves into creditor's voluntary liquidation. As part of this instruction, we attended various virtual creditors' meetings on behalf of IATA in their capacity as a creditor in the insolvent estates, in order to ensure the appointment of liquidators approved by IATA to investigate the frauds and seek to realise assets into the insolvent estates

### Key contacts

Duncan Lockhart  
Andrew Ramsden

## Intellectual Property

The protection of intellectual property rights not only provides a solid foundation for a company's future development, but is also an effective defence against increasing competition in both local and international markets.

Our specialist IP team advises on the full range of contentious and non-contentious IP related matters, assisting clients with the protection, enforcement and exploitation of patents, trademarks, copyright, designs, know-how and trade secrets in the Middle East, the UK and around the world.

[Click to see our experience](#)

Experience includes:

- Advising an African airline on the IP aspects of a purchase of a fleet of aircraft from Airbus
- Advising a major GCC airline on IP ownership dispute over the design and patents of a revolutionary seating concept. Preparing new patent filing strategies and advising on related freedom to operate searches. Undertaking IP due diligence and advising on commercialisation of IP
- Handling a Middle Eastern airlines' extensive trade mark portfolio globally, including protecting its core brands in over 60 jurisdictions
- Advising a UAE-based manufacturer regarding trade mark infringement proceedings in the UAE and in relation to bifurcated patent proceedings in Germany (a patent infringement claim against our client and related invalidity proceedings brought by our client). Our advice also extended to potential patent litigation in the UK in relation to the same product, and strategies for our client to “clear the way” to enter the UK market
- Managing a global hotel groups trade mark portfolio in 35 countries, and providing related advice to the management teams on brand strategy and implementation

### Key contact

Rob Deans

## Sanctions

Understanding the risks surrounding trade sanctions is essential for organisations involved in transportation. We are acknowledged as a market leader in this space and our expertise is supported by our sector knowledge and experience of working in new and emerging markets. The growing number and complexity of sanctions means that organisations not only have to look to their domestic law for regulatory guidance but also to the law of other jurisdictions, in particular the US and the European Union.

Many companies operate in or around challenging jurisdictions and this can make them liable to sanctions legislation. Understanding the risks is essential, and getting the approach and risk management wrong can result in high financial penalties, substantial reputational damage and market perceptions that can be difficult to alter.

[Click to see our experience](#)

Experience includes:

- Acting for JAT in ICC proceedings on a dispute concerning frustration of a long term contract, arising out of sanctions and return of maintenance reserves
- Advising various airlines, investors and the European Commission regarding EU external relations, horizontal agreements, open skies agreements and bilateral air services agreements; Advising a non-EU airline and its government in its negotiations with the European Commission on an EU horizontal agreement
- Advised on an investigation by the National Crime Agency into potential sanctions breaches
- Advising clients, including a UAE based tanker shipowner/operator wishing to trade in Iran on sanctions issues
- Advising trading companies on issues arising from sanctions against doing business in, among other places, Iraq and Syria
- Advising an owner in relation to a voyage order from charterers to load a crude oil cargo out of Libya, including as to whether the owner could comply with the voyage order without being in breach of sanctions
- Providing advice on the implementation of UN financial sanctions by Singapore; whether Singapore has implemented UN Security Council Resolution 1970 (2011) against Libya; and whether Singapore has expanded its list of designated persons following the implementation of EU Regulation 503/2011

### Key contacts

UK:

John Whittaker  
Charles Kuhn

North America:  
Doug Maag

## Technology

As competition in the aviation market intensifies, participants are continually searching for new ways to engage with and retain customers and drive efficiencies. Technology, innovation and the use of specialist third parties are increasingly at the heart of these developments. Our team advises on major technology arrangements – from SaaS and the Cloud through to technology licensing and maintenance, mobile apps and the adoption of ‘disruptive’ technologies.

Technology and data are now widely recognised by the aviation sector as two of the key tools through which they can evolve and adapt their businesses to secure a competitive advantage – from helping airlines engage with their customers to creating new distribution models; reducing cost through self-service technology; helping airport infrastructure to handle increased capacity; improving operational flexibility; and enhancing

the passenger experience and reducing turnaround times through enhanced on-board connectivity.

Using our experience of negotiating high-value contracts with leading industry players, we can help you navigate the technology minefield. We are adept at finding out what the airline’s needs are for a particular technology project, explaining in plain English where the contracts provided do not meet those needs and then working with technology suppliers and the customer to ensure that the actual signed contracts meet the customer’s requirements.

We have a good understanding of what customers want and where they tend to run into difficulties, whilst our truly global reach means that we have the depth of knowledge and capability to support our clients wherever they may need our assistance.

[Click to see our experience](#)

## Data

The introduction of onerous data protection laws around the world, in particular GDPR in Europe, and the data trials and tribulations of well-known companies mean that data protection is now a Board level issue – particularly for the aviation sector, which deals with both consumers and businesses and store and continually process large volumes of personal data of data subjects around the world, often outside of where they are headquartered.

Our dedicated data protection team provides organisations with full service data protection and privacy advice, with the flexibility to adapt our approach to meet the individual needs of our clients – acting as a trusted sounding board, providing strategic advice and resource or providing a fully outsourced service model, as required.

Individuals are now much more aware of their data protection rights and dealing with the issues that arise out of individuals exercising those rights is becoming a serious business concern for all organisations, both large and small. In particular, responding to subject access requests has become a real headache for businesses due to the number and/or circumstances in which they are made. If sheer volume of subject access requests is an issue for you, we have solutions that can help relieve some of the burden. If, on the other hand, you need help with requests made in sensitive situations – as part of a dispute, passenger complaint or employment issue or as a tool in litigation – we have experience of dealing with these types of requests and can help you comply with your obligations whilst minimising the amount of damaging information you provide as part of your response.

A core part of dealing with subject access requests is keeping data protection regulators on side. Working with the regulators is an important part of any data protection compliance function and our team has strong relationships with regulators and relevant industry bodies, enabling us to resolve privacy issues quickly and with the minimum of fuss.



Experience includes:

- Advising a leading airline company on GDPR compliance, including drafting new policies for data privacy, processing, transfers and data protection officers
- Advising a European airline on the provision of technology and other services for its new UK operation
- Advising a global airline parts manufacturing group in relation to GDPR services
- Advising Senior, one of the world's largest aerospace and component manufacturing companies, on its contract for a back-office treasury and risk management system for their global finance function
- Advising on airline licensing, ownership and control, data protection, ATOL/package travel issues and unmanned aircraft systems
- Providing ongoing guidance to various aviation stakeholders regarding the impact of Brexit on aviation, including advice to airlines regarding contingency measures to safeguard single aviation market access
- Advising a European airline on a contentious subject access request
- Advising a Middle East regulatory authority on the modification of its data protection legislation to align with GDPR and other international best practice
- Drafting the new Electronic Transactions Law for Dubai International Financial Centre (DIFC Law No. 2 of 2017) to clarify the enforceability of e-signatures, the equivalence of electronic records and the validity of electronic contracts
- Localising the data privacy policies of international corporations for consistency with local market requirements

### Key contacts

UK:  
Mark Williamson  
Isabel Ost

MEA:  
Dino Wilkinson

## Cyber

Our experienced global team advises clients on all cyber and data related issues, from policy drafting to incident response. In the event of a cyber incident, we can support in responding to the breach and representing you in the defence of claims or investigations.

One of the most obvious global data protection issues is data breach. Data breaches have the potential to cause significant financial and reputational damage, as well as huge disruption, to businesses such as yours. Our world-leading data breach response team can help you prepare for, and respond to, all aspects of a data breach based on current best practices and wherever in the world the breach occurs.

### Prevent

**Pre-Breach** services include:

- Risk management services
- Breach readiness audits to assess current cyber resilience and information handling systems
- Advising on breach response plans

### Manage

**Claims and Regulatory** services include:

- Management of regulatory notifications and investigations resulting from a breach
- Defence of any actions taken against the policyholder
- Defending, managing and representing clients in complex litigation

### Respond

**Breach Response** services include:

- Dedicated 24-7 cyber incident hotline
- Timely, high level, initial response to reported incident
- Regular updates to clients (via external breach co-ordinators if appointed)

### Reflect

**Post-Breach** services include:

- Working with the chosen third party suppliers to assist with reviewing the cause of the breach
- Working with clients to develop new procedures
- Providing additional training to policyholder staff to raise awareness

Experience includes:

- Advising a regulated business on the cyber hacking of its systems resulting in the loss of significant numbers of customer data including financial, sensitive personal data and credit card details
- Advising on retail breach impacting in excess of 50 million people
- Acting for a major logistics provider in relation to processing of employee data, including representing the company during an ICO investigation and dealing with employment law implications and customer communications
- Advising a company in France on the management of an unauthorised release of personal information including personal data
- Advising an international hotel operator in respect of a data breach arising from its customer loyalty scheme
- Advising in relation to a high profile claim in Hong Kong involving the breach of personal data privacy laws by Octopus, the first large scale contactless smartcard payment system in Hong Kong, including defence of investigations by the PCPD
- Advising an ASX-listed international fast food company on its response to a suspected data breach following customer complaints and a resulting investigation by the Privacy Commissioner
- Advising a financial institution in Singapore following a personal data breach incident involving unauthorised emails sent from the computer system of a third party service provider to the customers of the financial institution
- Advising on a major hacking incident against the outsourced service providers to an Omani bank that resulted in a loss of USD 42 million for the bank relating to pre-paid debit cards
- Advising a university following a high profile phishing attack against its students' university email addresses, resulting in a number of coordinated frauds, in relation to management of the suspected security breach and on the university's exposure to claims for damages
- Advising a major player in the technology industry on the privacy implications associated with the roll-out of several of its high profile online products across a number of Gulf States
- Advising on high-profile national healthcare breach impacting in excess of 10 million people
- Advising on cyber risk wordings for use in the province of Quebec and compliance with Quebec law

### Key contacts

Helen Bourne  
Tom White

---

# 440

Partners

---

# 1,800

Lawyers

---

# 4,000

Total staff

---

# 50+

Offices worldwide\*

[www.clydeco.com](http://www.clydeco.com)

---

\*includes associated offices

Clyde & Co LLP is a limited liability partnership registered in England and Wales. Authorised and regulated by the Solicitors Regulation Authority.

© Clyde & Co LLP 2019