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# Bird & Bird & Airports

## *Our Credentials*

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# A selection of our recent Airport credentials

*The business of an airport covers many different commercial aspects and the indicative list below gives examples of the type of advice which our lawyers have provided to the airport sector. Whilst the comprehensive experience of the lawyers who make up our Aviation Department makes the firm well suited to advise airports on industry specific issues, we will also cover within the firm matters (e.g. outsourcing, property, IT) which do not directly relate to the aviation industry.*

- **60 airlines:** in a litigation in Belgium where the travel agencies request payment of ± €8 million of commission on the passenger service charges (successful litigation).
- **Air traffic controller:** liberalisation of the air traffic management services and on access to airport facilities.
- **Airport charges:** Administrative proceeding on behalf of two airlines to challenge airport charges relating to luggage security.
- **An airline association:** on issues of charges, airport infrastructure, and relationship with airport authorities
- **An airport group:** on its Terms & Conditions of use. We have historically advised in this area, sometimes for the airport, at other times on behalf of airlines entering into an agreement with an airport.
- **Airport Mönchengladbach:** shareholder dispute in relation to proposed runway extension.
- **Airport security:** scope of security measures for passengers and luggage and advising on the liabilities in case of transporting inadmissible persons into a State.
- **AOM/Air Liberté (French pilots' association):** allocation of slots at airports and the transfer of the slots from one carrier to another.
- **An association and all the airlines that it represents:** with major litigation against the Zaventem municipality that requested the airlines to pay €2.5 million per year as airline exploitation tax (successful litigation).
- **Asian civil aviation authority:** agreements for mobile coverage at an airport and on the procurement of a new treasury system.
- **BAA Heathrow Airport:** Terminal 1 fire claim and non-airside insurance claims.
- **The Belgian Federal Ministry of Mobility:** in the negotiations for the privatisation of BIAC, the Brussels airport management company
- **Belgium Ministry of Transport:** general advice in relation to airports, including classification of different types of airports, conditions for creating and exploiting an airport, the security rules to comply with and the environmental standards that apply.
- **Board of airlines representatives:**
  - » compensation to airlines for damage caused by blocking of airlines' operations at airports.
  - » noise standards and night flights' prohibition at airports, the respective rights and obligations of the national authorities and of the airlines.
- **EASA:** contract negotiations with national flight security organisations.
- **easyJet:** in challenging the charging regime at London Gatwick Airport. The case has been heard in the High Court and has involved an in depth analysis of both the regulatory regime and the processes which were pursued whilst the new charging regime was open to consultation among the airlines.
- **Flughafen Düsseldorf:**
  - » corporate law issues in relation to its supervisory board and shareholder meetings issues.
  - » acquisition of a cargo handling company.
  - » corporate law advice on its relationship with the airport Mönchengladbach regarding the profit and loss absorption agreement.
  - » representing the airport against the advertisement of the airport Weeze which advertised itself as "Airport Düsseldorf Weeze".
  - » advised on public procurement matters.
- **Flybe:**
  - » in connection with the market investigation by the Office of Fair Trading and the Competition Commission into the monopoly position of BAA, who own seven UK airports. This enquiry has involved a detailed investigation into the business of BAA, the relationship between the BAA Airports and airlines and the benefits which might accrue if more competition was introduced to the airport sector.
  - » in a dispute with Guernsey airport relating to the inadequate provision of fire-fighters and the consequent closure of the airport.
- **Fraport AG Frankfurt Airport:**
  - » in patent infringement litigation action against a Private Inventor relating to a method for servicing fire dumpers. The matter was settled after the German Patent Court announced that they believe the Inventor's patent is invalid.
- **Hong Kong Air Cargo Terminals (HACTL):**
  - » procurement of IT services from various service suppliers (both local and international) in relation to updating HACTL's legacy systems including without limitation storage systems and network migration.
  - » extension of scope of use for a German database management software provider and disputes arising out of the extension.
  - » developing various IT standard terms and conditions for use with third party vendors.
  - » advice on their systems at Chep Lap Kok airport.
- **International main contractor:** resolving disputes with owners, sub-contractors and consultants involved in the Changi Airport building 2 construction project.
- **The Jordanian Government:** on proposed privatisation of Royal Jordanian Airlines. This involved drafting new primary legislation and subordinate Regulations to take account of the new scenario and it also involved advising about the position of the airports which were Government owned.
- **A major groundhandler and several airlines:** on the establishment of groundhandling fees.
- **A major international airport operator:** in connection with a significant planned IT project.
- **Marshall Aerospace:** relocation of its airport from Cambridge to RAF Mildenhall.
- **Menzies Plc:** various acquisitions for ground handling giant Menzies Plc (both at Schiphol and at Rotterdam/The Hague Airport) and advising on commercial disputes and litigation.
- **One of the world's largest investors in the Aviation sector:** on an airport potential privatisation and involved regulatory issues.
- **Pratt & Whitney:** multi-party High Court litigation concerning responsibility for design defects in the acoustic solution of an engine testing facility, including the necessity for an evaluation of remedial works.
- **RAF Aerodrome:** dispute in relation to contract work.
- **ServisairGlobeGround:** litigation on the application of the Groundhandling Directive and its implementation in Belgian law.
- **Several airlines:** on airport charges status in the context of contemplated privatisation.
- **Several associations of air carriers in Belgium (cargo and passengers):** on their contestation of an additional payment of €66 million security charges requested by the airport authorities.
- **Several major airlines:** on environmental strategy and representing them in litigation related to noise regulation. Several stakeholders: in connection with the privatisation of regional airports in France.
- **Supply contractor:** legal advice to an airport relating to the renewal of a fuel installation supply contractor.
- **TBI (owner of Luton, Cardiff, Belfast International and Stockholm Skavsta Airports as well as three airports in Bolivia and Orlando Sanford Airport in the US):** a wide range of commercial matters.
  - » **London Luton Airport:** on a dispute about the terms of its Airport Agreement with easyJet. The airline's complaints were wide ranging, including complaints about the failure of the airport to clear snow from the runways expeditiously, priorities in the Terminal, parking of aircraft and other operational issues.
  - » **Skavsta Airport, Sweden:** providing legal advice on regulatory, property, competition and commercial matters.
- **A UK airline:** advising the airline which was taken to task by Airport Coordination Limited (ACL) for misuse of the slots which had been allocated to it. ACL is the duly appointed coordinator of slots at several UK airports and the handling of this case, and the representation of the airline client, necessarily involved detailed knowledge of the slot system.
- **A US security company:** on the licensing activities at Brussels Airport.