emg ASSOCIATES

LONDON PROGRAMME:

AVIATION LAW



PRESENTED BY:

DR ANTIGONI LYKOTRAFITI

emg ASSOCIATES

Where Knowledge becomes Confidence

LONDON PROGRAMME:
AVIATION LAW

The Welbeck Hotel
57-59 Welbeck St
London W1G 9BL

MONDAY – FRIDAY

09:30AM TO 14:30PM

£4500

Presented by
Senior Lecturer in Aviation Law

[00]

BROCHURE CODE EMG-LAW-AL01

LONDON PROGRAMME: AVIATION LAW

The aviation industry supports $4.1 trillion in world economic activity (3.9% of global gross domestic product). If air transport were a country, it would rank 20th in the world by GDP, similar to Saudi Arabia (https://aviationbenefits.org/economic-benefits/adding-value-to-the-economy/). Despite these figures, expertise in aviation law is scarce and usually obtained in practice as opposed in academia. This five-day intensive executive course in aviation law offers the opportunity to participants to familiarise themselves with key areas of public and private aviation law. It focuses on: bilateral and multilateral air services agreements; the analysis of competition authorities to approve and immunise international airline alliances: the conditions under which States subsidise their air carriers; regulatory asymmetries that distort the playing field in international air transport; the legitimacy (or otherwise) of the allegations against the Middle East air carriers that they distort competition; the international law regime that governs air carrier liability for passenger death, injury and delay, as well as baggage and cargo damage and delay; and, the proliferation of air passenger rights regimes around the work. Upon completion of the course, participants will be aware of and feel confident to practice in the area of aviation law.





Day 01

The regulation of international civil aviation from its birth to date

Focus: How States regulate market access in international air transport .

The era of regulation: 1944 Chicago Convention; 1946 US-UK Bermuda Agreement; bilateral air services agreements; freedoms of the air; capacity restrictions; ownership and control clauses/nationality restrictions; equality of outcome v equality of opportunity.

The era of de-regulation/liberalisation: domestic and regional liberalisation; US open skies agreements; EU comprehensive air transport agreements; fair competition clauses; control of subsidies/State aid.

Practical Work: Examination of the evolution of fair competition clauses in air services agreements from laconic provisions to fully-fledged and self-executing provisions.

BROCHURE CODE EMG-LAW-AL01

LONDON PROGRAMME:
AVIATION LAW



Day 02

The application of competition law in international air transport

Focus: How regulatory convergence in competition law manifests itself in international air transport.

Cross-border mergers v. international airline alliances; approval of and anti-trust immunity for international airline alliances; definition of the relevant market; remedies; duration of the antitrust immunity; Regulation (EU) 2019/712; US International Air Transportation Fair Competitive Practices Act; US International Air Transportation Fair Competition Act.

Practical Work:

Branded global airline alliances (STAR, SkyTeam and oneWorld) and competition law.



Day 03

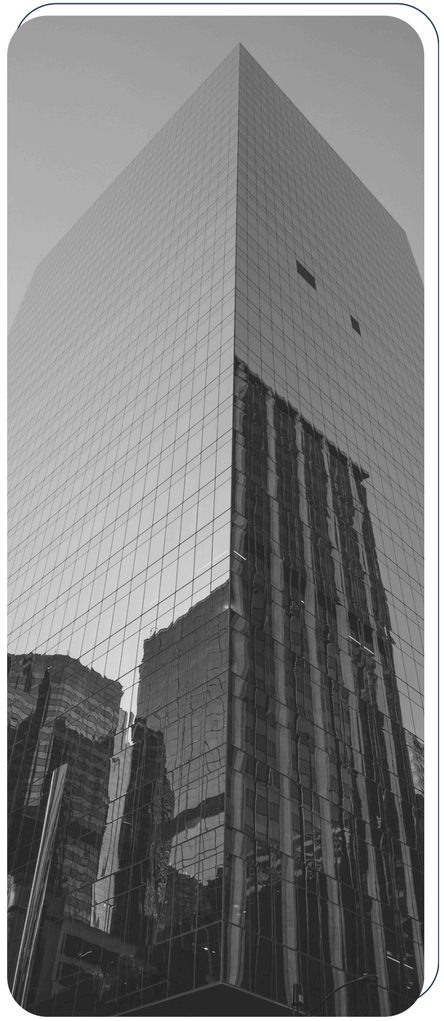
Subsidies in Aviation

Focus: On the conditions under which States subsidise their airlines.

EU state aid law v. WTO Agreement on Subsidies and Countervailing Measures; rescue and restructuring aid; start-up aid to low-cost carriers; investment aid to airports; public service obligations; Covid-19 and State aid.

Practical Work:

Under what conditions did States grant billions of aid to their airline industry during the Covid-19 crisis?



Day 04

Do the Gulf air carriers distort the level playing field?

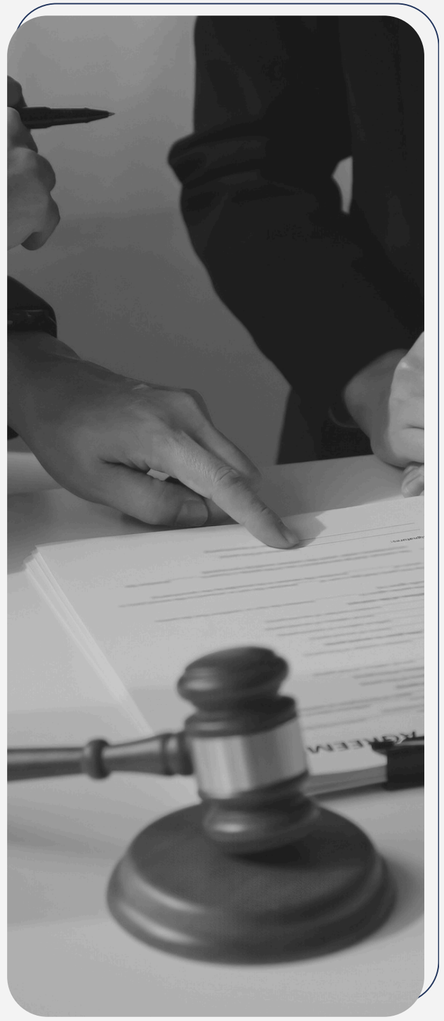
Focus: On the (legitimate and illegitimate) reasons why Middle East air carriers are accused of distorting the level playing field.

Sixth freedom carriers' business model; State ownership and cross-subsidisation; financial transparency; capacity dumping; airport charges; taxation; 2022 EU-Qatar Comprehensive Air Transport Agreement; national sovereignty.

Practical Work:

Lessons learned from the Iran war on fair competition on a level playing field.

LONDON PROGRAMME:
AVIATION LAW



Day 05

1. Air carrier liability for international carriage of persons, baggage or cargo

Focus: On air carrier liability for accidents and delays in international air transport.

1929 Warsaw Convention; 1999 Montreal Convention; 1952 Rome Convention on surface damage; accident; delay; bodily injury and mental distress; exclusivity doctrine.

2. Air passenger rights

Focus: On the proliferation of air passenger rights regimes around the world .

Regulation (EU) 261/2004 and relevant jurisprudence; preliminary rulings of the European Court of Justice; compensation for flight cancellation, delay and denied boarding; claims management companies v. “no-win-no-fee” law firms; solicitor’s equitable lien.

Practical Work:

Analysis of the UK Supreme Court’s judgment in Bott & Co Solicitors v Ryanair [2022] UKSC 8 on a solicitor’s equitable lien.

Learning Outcome

By the end of the course, participants will be able to:

- Read and comprehend air services agreements.
- Carry out legal analysis of complex cross-border mergers and international airline alliances.
- Assess the compatibility of airline subsidies under EU State aid law.
- Analyse the arguments against the Gulf air carriers from a legal standpoint.

- Advise on air carriers' liability for breach of the contract of carriage.
- Identify breaches of air passenger rights by air carriers and apply the law to the facts of each individual case.
- Carry out individual research in the areas covered by the course.
- Appreciate legal creativity in the area of aviation.



Our Training Strategy

is based on personalised learning, where we aim to develop the competence of every delegate by actively engaging them in the course.

EMG Associates' Presenter:

Dr Antigoni Lykotrafiti is a Senior Lecturer in Transport, Energy and the Law at the Centre for Commercial Law Studies at Queen Mary University of London, where she teaches and carries out research in the areas especially of air transport law and shipping law. She is also the Director of the Postgraduate Certificate in Aviation Law.

Prior to joining Queen Mary, Antigoni worked for the Organisation for Economic Cooperation and Development (OECD) in Paris, France on transport policy issues. She has been an assistant professor at Tilburg University in the Netherlands (Tilburg Law and Economics Centre), where she taught public international and European law and carried out research in the area of EU innovation law and policy; a Jean Monnet post-doctoral fellow at the European University Institute in Florence, Italy, where she worked on transatlantic air transport liberalisation issues; a practitioner within the competition division of a leading law firm in Athens, Greece; and a stagiaire at the European Commission's Directorate General for Mobility and Transport in Brussels, Belgium. She has been a visiting research fellow at the British Institute of International and Comparative Law (BIICL) in London and a visiting professor at the University of Bergamo, Italy.

Antigoni read law at the University of Athens, Greece (LLB), European law at the University of Essex (LLM) and air transport law at King's College London (PhD), writing her thesis on the issue of State aid in air transport. She specialises in the areas of European and international law, law and economics, and law and innovation, with a special emphasis on the aviation sector.

Accreditation:

EMG Associates (UK) Limited is an accredited training provider of the Government of Dubai Legal Affairs Department (GLAD), under the Continuing Legal Professional Development (CLPD) Programme (Provider Code: BB18).

Eligible EMG programmes, where accredited by the Department, may qualify for CLPD points for registered Dubai legal consultants, subject to the applicable programme requirements.

Our programmes are also designed to support the continuing professional development and competence of legal professionals, including solicitors regulated by the Solicitors Regulation Authority (SRA) in England and Wales, in accordance with their individual professional development obligations.

حكومة دبي
GOVERNMENT OF DUBAI

دائرة الشؤون القانونية لحكومة دبي
THE GOVERNMENT OF DUBAI LEGAL AFFAIRS DEPARTMENT

Solicitors Regulation Authority

LONDON PROGRAMME:

AVIATION LAW

Where Knowledge becomes Confidence

TO REGISTER PLEASE VISIT

Contact | EMGUK

+44 (0) 778 595 2645

+44 (0) 20 3827 0966

info@emguk.net

www.emguk.net