



Aviation

The aviation and air travel sector has a unique set of challenges. Our Aviation Law professionals have extensive experience managing these challenges. We assist with the acquisition, disposition, leasing and financing of aircraft (both fixed wing and helicopters), aviation equipment, flight simulators and related assets, and advise on travel agency related issues and assistance in airport related matters. We are skilled in handling aviation regulatory and governmental compliance matters and provide optimal solutions to our clients in navigating the labyrinth of Canadian aviation laws, regulations and governmental policies.

RELATED SERVICES

- Restructuring
- Employment
- Public Private Partnerships and PFI
- Transportation

- Insurance

We also do extensive aviation insurance claims work, defending air carriers against passenger injury and wrongful death claims and cargo / baggage loss or damage claims arising on both domestic or international flights. Our aviation law professionals include internationally recognized senior practitioners with a broad spectrum of experience and practice areas covering all aspects of aviation law, including international and bilateral air treaties and conventions and airline operational issues. Prominent members of our group include a former General Counsel of a Canadian-based major international carrier.

Specific Areas of Expertise in Aviation Law

- Acting for clients in connection with aircraft and helicopters (commercial and executive), engines, parts and components sales and operating lease and financing lease transactions and tax related structures on a domestic, cross-border and international basis;
- General airline commercial transactions, including marketing and commercial agreements, aircraft maintenance related agreements, code share and block space agreements and contracts for fuel supply, catering, ground handling and other day-to-day air carrier matters;
- Registration and deregistration of aircraft, engines and parts under appropriate Canadian federal or provincial legislation, issues with respect to licensing and certification in Canada and under the Cape Town Convention;
- Advising foreign air carriers with respect to aircraft wet leasing arrangements;
- Advising foreign air carriers with respect to foreign ownership rules affecting holdings in air carriers;
- Fractional aircraft ownership expertise;
- Airline restructuring, insolvency and bankruptcy related matters, including acting for numerous aircraft lessors and financial institutions in respect of the insolvencies of certain carriers and travel agencies;
- General aviation and claims-related litigation and representation on insured and non-insured claims, aviation insurance coverage issues, including acting as counsel in IATA group litigation matters;
- Airport issues and including airport infrastructure development and issues concerning gates and slots;
- Aviation regulatory issues in regard to dealings with Transport Canada, the Canadian Transportation Agency and other relevant

governmental departments and agencies;

- Labour relations, human rights and employment law advice with particular experience in the aviation industry;
- Acting for air carriers in a variety of contractual negotiations and disputes relating to the provision of charter services, tour operations, and ground and maintenance services;
- Tax advice about aircraft sales, leases and financing transactions and other general matters both domestically and on an international transactional basis;
- Sales and purchases of air carriers;
- Representation of international carriers serving on scheduled or charter bases;
- Counsel to Canadian government with respect to refinancing of major Canadian air carrier;
- Dealing with type certification issues concerning aircraft;
- Advising air carriers in connection with air passenger rights initiatives in Canada;
- Advice on bilateral air agreements and liability issues under international air law conventions and treaties.

Industry Leadership

Our partners have served as executives of the Canadian Bar Association, Air & Space National Law Section; the American Bar Association, Section of International Law, International Transportation Committee; and the International Aviation Women's Association.

One of our partners was elected as president of the US based Transportation Lawyers Association and also served as president of the Canadian Transport Lawyers Association.

One of our partners was the sole Canadian contributor to the IBA publication on "Getting the Deal Through - Air Transport" for a number of years. A partner in our group edited the update to "Canadian Encyclopaedia Digest" (4th ed) on "Aviation Law" (Carswell) and another is the editor of Transport and Storage of Goods (Title 11) in *Canadian Forms and Precedents - Commercial Transactions* Volume III (LexisNexis Canada, 2005).

Our aviation practitioners are invited repeatedly to speak at international conferences and seminars concerning aviation law topics, including most recently at the opening panel of the 60th Anniversary McGill Conference on International Aviation Liability and Insurance and at the international aviation law conference convened at the Faculty of International Law at the China University of Political Science and Law

INSIGHTS

Publications

Up, up and away: BC Court of Appeal dismisses unjust enrichment class action against international airlines

15 SEP 2017

On September 12, 2017, the BC Court of Appeal upheld the decision of the B.C. Supreme Court in *Unlu v Air Canada*, 2015 BCSC 1453, refusing to certify as class proceedings five separate actions against each of Air Canada, Deutsche Lufthansa Aktiengesellschaft, Delta Air Lines, Inc., United Air Lines, Inc., and British Airways PLC.

NEWS

DLA Piper Canada increases rankings in 2023 *Chambers Canada* guide

30 September 2022

DLA Piper (Canada) LLP and its lawyers have been recognized across 16 practice areas in the 2023 edition of *Chambers Canada*.

DLA Piper Canada recommended by *Legal 500 Canada 2022*

12 November 2021

DLA Piper (Canada) LLP and its lawyers have been recommended in the latest edition of the *Legal 500 Canada*.

DLA Piper (Canada) LLP recognized in the 2021 edition of the *Legal 500 Canada*

13 November 2020

DLA Piper (Canada) LLP and its lawyers have been recognized as industry leaders across multiple practice areas in the latest edition of the *Legal 500 Canada*.

In Canada

- The International Who's Who of Aviation Lawyers, since 2005
- *Chambers Canada* (Transportation: Aviation: Finance), 2016-2020