

**INDIAN GOVERNMENT APPROVES MOU ON CIVIL AVIATION  
BETWEEN INDIA AND SINGAPORE**



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## **Background**

During the Indian Prime Minister's visit to Singapore in November 2015, three (3) Memorandums of Understanding (MoU) were signed between India and Singapore. The MoU covered cooperation between the two countries in the fields of civil aviation, capacity building as well consulting and advisory services in urban sector projects.

## **Recent Development**

On January 6<sup>th</sup> 2016, The Indian Government accorded ex-post facto approval for the MoU that was signed with Singapore in the field of civil aviation. The MoU was executed between the Airport Authority of India (AAI) and the Singapore Cooperation Enterprise (SCE).

## **Objective of the MoU**

The basic premise of the MoU is to establish mutual cooperation in the field of civil aviation, which will commence, initially with the airports at Jaipur and Ahmedabad, and may be extended to other airports in India, with mutual consent between the countries.

## **Salient Features of the MoU**

The salient features of the MoU include collaboration in the field of civil aviation in the areas of:

- (a) Master-planning and design;
- (b) Traffic development;
- (c) Commercial development;
- (d) Service quality improvement;

- (e) Training and development;
- (f) Cargo handling and Management;
- (g) Maintenance, repair and overhaul (MRO);
- (h) Operation and management (O&M); and
- (i) any other areas with mutual consent.

### **Concluding Words**

It was felt by the AAI that in order to ensure high standards of service at Jaipur and Ahmedabad airports, it might have to enter into O&M contracts, either with or without the responsibility of maximization of non-aeronautical revenue in the terminal building.

Globally, limited O&M contract models are prevalent for entire airport operations. However, AAI has had no prior experience in awarding O&M contracts of terminal buildings to other entities. Thus, in order to implement the decision, it was necessary to ensure that a suitable entity be engaged for undertaking the O&M contract at Ahmedabad and Jaipur airports. Since the Government of Singapore owns one of the best managed airports in the world, AAI felt that it would benefit from the in-depth knowledge and experience of its APAC member nation by entering into such an arrangement.

#### **DISCLAIMER**

The information contained in this article is correct to the best of our knowledge and belief at the time of writing. The contents of the above article are intended to provide a general guide to the subject-matter and should not be treated as a substitute for specific professional advice for any particular course of action as the information above may not necessarily suit your specific business and operational requirements. It is to your advantage to seek legal advice for your specific situation.

## **ABOUT THE AUTHOR**

Piyush Gupta is an aviation law expert having practiced with leading law firms and prestigious airlines in India and in Singapore for over a decade. He holds a Masters degree from The George Washington University. He is currently Partner and head of the Aviation Law Practice at the Firm. Apart from assisting clients ranging from leading airlines to airports and MROs as part of the Firm, Piyush has had significant experience working as an in-house counsel with Singapore Airlines Ltd and 'IndiGo' airlines – the largest low cost airline in India. In 2015, Piyush was listed by The Legal 500 as one of the "Recommended Lawyers in India for Aviation".

## **KOCHHAR & CO. – AVIATION PRACTICE**

The Firm has a strong Aviation Law Practice with a number of lawyers having significant work experience in handling all matters across the spectrum within the aviation industry. The most significant contribution of this department (as against some of the competing firms in India) is that the practice is headed by an airline in-house counsel, which brings a practical perspective to the advice given by the Firm, keeping in mind the commercial considerations being faced by airlines in India.

Apart from assisting clients with legal advice / litigation support, the Firm also conducts client and industry specific training sessions / seminars for the overall benefit of the clients' operations in India. For instance, the Firm was recently engaged by All Nippon Airlines (ANA) to assist them with issues on competition and anti-bribery in India. The airline has offices at Delhi and Mumbai and all mid and senior management employees were part of these training sessions. Since the lawyers of the Firm are well-versed with the intricacies of the airline industry, the sessions were inundated with practical and 'live' examples from within the industry, which assisted the audience, understand the concerns much better.

Similarly, the Firm was engaged by Euromoney Asia to conduct a 3-day training in Hong Kong on Aircraft Financing and Leasing. Mr Piyush Gupta was personally requested to conduct the trainings, where the audience comprised of senior management officers and lawyers from Singapore, China and Philippines.

### **Awards & Accolades**

- THE LEGAL 500 - Recommended Firm – Aviation & Dispute Resolution, 2015
- Awarded "Aviation Law Firm of the Year in India 2015" by GLOBAL LEGAL EXPERTS

- Awarded "Aviation Law Firm of the Year in India 2014" By CORPORATE INTL GLOBAL AWARDS