

Air Law

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INTERNATIONAL LAW: CONVENTIONS, AGREEMENTS AND ORGANISATIONS

The Convention on International Civil Aviation (Chicago) – ICAO DOC 7300

Explain the Historical background that led to the establishment of the
Convention on

International Civil Aviation, Chicago, December 7, 1944.

Part I – Air Navigation

Be familiar with the general contents of relevant parts of the
following Chapters:

- general principles and application of the Convention
- flight over territory of contracting States
- nationality of aircraft
- measures to facilitate air navigation
- conditions to be fulfilled with respect to aircraft
- international standards and recommended practices. (SARPs) especially
notification
of differences and validity of endorsed certificates and licences

General principles: Describe the application of the following terms in
Civil Aviation:

- Sovereignty

– Territory, High Seas, according to the UN Convention of the High Seas

Define the following terms and explain how they apply to international air traffic:

- right of non-scheduled flight (including the two technical freedoms of the air)
- scheduled air services
- cabotage
- landing at customs airports
- applicability of air regulations
- rules of the air
- search of aircraft.

Describe the duties of Contracting States in relation to:

Documents carried in aircraft; Certificate of registration, Certificates of airworthiness, Licenses of personnel;
Recognition of certificates and licenses,
Cargo restrictions, Photographic apparatus;

Part II The International Civil Aviation Organisation (ICAO):

Describe the objectives of ICAO.

Explain the organisation and duties of the ICAO Assembly, Council and Air Navigation Commission (ANC).

Explain the organisation and duties of ICAO Headquarters and Regional Offices

Describe the worldwide ICAO regions.

Be familiar with the hierarchy of ICAO publications (SARPs, DOCs)

- Annexes to the Convention
- Document

Other Conventions and Agreements

The International Air Services Transit

Agreement (ICAO Doc. 7500)

Explain the two technical freedoms of the air

The International Air Transport Agreement.

Explain the three commercial freedoms of the air

Describe legal situation within the EU with regards to the Freedoms of the Air

Suppression of unlawful acts against the safety of civil aviation; the Conventions of Tokyo, Den Haag, Montreal

Explain the facts that led to the Conventions and Supplements concerning unlawful acts against the safety of Civil Aviation

Explain the content of the Convention on Unlawful Acts Committed on Board Aircraft.

(Doc 8364 – Convention on Offences and Certain Other Acts Committed on Board Aircraft, Tokyo 14.9.1963)

Explain the content of the Convention on Suppression of Unlawful Seizure of Aircraft

(Doc 8920 – Convention for the Suppression of Unlawful Seizure of Aircraft, Den Haag 16.12.1970 and Protocol for the Suppression of Unlawful Acts against the Safety of Civil Aviation, Montreal 23.9.1971)

Explain the content of the Convention on Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation in accordance with:

(Doc 8966 – Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal 23.9.1971, signed at Montreal 24.2.1988)

Describe measures and actions to be taken by the PIC of an aircraft in order to suppress Unlawful Acts against the Safety of the aircraft.

(Doc 9518 – Protocol supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, done at Montreal 23.9.1971, signed at Montreal 24.2.1988)

Bilateral Agreements

Explain the reason for the existence of Bilateral Agreements for scheduled Air Transport (Digest of Bilateral Air Transport Agreements, ICAO Doc 9511)

International Private law (1/10/07)

Explain the Conventions and Protocols designed to cover liability towards persons and goods in accordance with the Warsaw System based on the Convention for the Unification of Certain Rules Relating to International Carriage by Air, Warsaw, October 2. 1929

Explain the legal significance of the issue of a passenger ticket and/or of baggage/cargo documents

Describe the consequences for an airline and/or the PIC when a passenger ticket is not issued

Explain that the liability towards persons and goods may be unlimited, on the basis of the Montreal Convention, May 28, 1999

Appreciate that a document of carriage may be electronic.

Explain the consequences of the EC Regulation about passenger rights in case of delay, cancellation or denied of boarding. (EC Regulation 261/2004)

Explain the liability limit in relation to the destruction, loss, damage or delay of baggage

Operators' and pilots' liabilities towards persons and goods on the ground, in case of damage and injury caused by the operation of the aircraft

Explain the Conventions and Protocols designed to cover liability towards persons and goods on the ground based on the International Convention for rules relating to Damage Caused by aircraft, signed at Rome May 29, 1933 and October 7, 1952 and Montreal September 23, 1978

The Convention of Rome (1933) and other documents related to rights in aircraft.

Understand the rules relating to international recognition of rights in aircraft and the rules relating to precautionary arrest of aircraft.

World Organisation

The International Air Transport Association (IATA)

Describe the general organisation and objectives of IATA.

European organisations

European Aviation Safety Agency (EASA)

Describe the general organisation and objectives of EASA

Describe the role of EASA in European Civil aviation

Describe the position of the National Aviation Authorities (NAAs) within the EASA.

Explain the development of the principle documents of EASA.

Describe the relationship and harmonisation of EASA with other organisations such as ICAO, Regional and National Organisations.

Joint Aviation Authorities (JAA)

Give a brief summary of the European Civil Aviation Conference (ECAC)

Explain the reasons for the foundation of the JAA at the Convention of Cyprus on Sept. 11.1990

Explain the development of the principle documents of the JAA.

Describe the general organisation and objectives of the JAA.

Describe the position of National Aviation Authorities (NAAs) within the JAA.

Describe the relationship between international, regional and national

Organisations

Give an overview of the JAR Publications

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