

EVENT CALENDAR:

April 4, 2019 – International Aviation Conference
Aeroclub of India / Leiden University, New Delhi, India

April 25-27, 2019 – Annual Air Law Lecture of Prof.
Stephan Hobe, University of Cologne, Germany

May 16-17, 2019 – Civil Aviation Legal Advisers Forum,
Singapore

May 17, 2019 – 2nd Travel Law Forum, Athens, Greece

June 19-21, 2019 – IV International Innovative Forum of
Public Transport Smart Transport, St. Petersburg, Russia

June 21, 2019 – Annual Conference «Facing the new
challenges in the Aviation Industry», Rome, Italy

CONTENT:**LEGISLATION**

- Overview of March 2019 changes

EXPERT'S OPINION

- Sergey Kovalevskiy, Review of the
court practice

EVENTS

- The IATA Legal Symposium 2019
- "Space: Business or Science?" panel at
the Festival of the Association of
graduates of St. Petersburg University
"Reunion"

NEWS OF THE AEROHELP INSTITUTE**LEGISLATION: OVERVIEW OF CHANGES IN MARCH 2019**

Government of the Russian Federation approved on March, 7 the Procedure for consideration of proposals on assignment to Russian airports (and other geographical objects) the names of famous Russian persons. The Document was adopted in the course of national "Great names" competition which consisted in public voting on the famous names to be assigned to major Russian airports. During the voting 46 names, 1 for each airport, of famous politicians, public and military figures, scientists, sportsmen, representatives of art and culture and others, were chosen.

According to the Procedure, proposals to assign names to airports shall be filed by the Public Chamber of the Russian Federation to the Federal Government, which shall transfer them for consideration to state bodies and organizations that deal with the spheres of that famous persons activities. The state bodies and organizations shall come back with their approval or motivated refusal. In case any proposal gets at least one refusal, it shall be further regarded and decided upon by the Presidential Administration Office.

On March, 5 Federal Government Decree of February, 28 amending the Order on drafting Regulations of federal airspace use and Federal aviation regulations (FAR), was promulgated. Now, FARs in the part of their name, structure and content shall be developed and approved with the account of international standards and rules stipulated by ICAO, its member states and other international aviation organizations.

On March, 26 the Ministry of Transport Order of February, 8 approving procedure of obtaining by educational and aviation works organizations, as well as air carriers, of flight simulators operation admission, was promulgated. According to the Order, the simulators shall pass flight and technical assessment for compliance with the ICAO Manual of Criteria for the Qualification of Flight Simulation Training Devices (Doc. 9625).

On March, 29 the Ministry of Transport Order of February, 26 complementing the Regulations on Transport Security Plans and Vulnerability Assessment Results preparation, was promulgated. According to the Order, the Plans and Assessment Results may now be provided to state authorities not in three, but in two original copies, one as a hardcopy, and one in electronic form signed with reinforced qualified digital signature.



SERGEY KOVALEVSKIY

ST. PETERSBURG (RUSSIA)

HEAD OF THE LEGAL DIRECTORATE OF THE TERRITORIAL DIRECTORATE OF SOGAZ JSC IN THE NORTH-WEST FEDERAL DISTRICT, ASSOCIATE PROFESSOR OF FINANCIAL LAW AT THE LAW FACULTY OF THE STATE UNIVERSITY "HIGHER SCHOOL OF ECONOMICS IN ST. PETERSBURG", P.H.D.

The Bulletin (review) of judicial practice in civil cases of the Sverdlovsk Regional Court (fourth quarter of 2018), approved by a decision of the presidium of the Sverdlovsk Regional Court of January 23, 2019, was issued.

According to paragraph 5 of the Bulletin, the failure to provide reliable information on the value of the contents of the baggage excludes the possibility of full compensation for damage.

According to the materials of the case, the citizen filed a lawsuit with the carrier on the protection of consumer rights. In support of the claim, he indicated that before flying out of Rome to Yekaterinburg, he handed over for transportation baggage with personal belongings weighing 17 kg, which is registered without declared value. At the destination airport, the baggage was not found, in connection with which he applied to the tracing service, which drafted the non-arrival of baggage. Since after 21 days from the time the luggage was not found, he applied with a claim to the carrier, which partially satisfied the claim, by transferring the amount of 10 200 Rubles to the claimant's account. However, the claimant considered this amount to be insufficient assuming that, in accordance with Article 22 of the Montreal Convention 1999 the carrier's liability for the loss of baggage should be 1 000 special drawing rights and asked the defendant to recover the difference between the amount due and paid in the amount of 80 222 Rubles.

By the decision of the court of first instance, the claims were partially satisfied, compensation for loss of luggage was recovered in his favor – 31 796 Rubles, compensation for moral injury – 3 000 Rubles., postage – 144 Rubles, fine – 10 000 Rubles. In recovery of the penalty was denied.

On the claimant's appeal, the judicial board of the Sverdlovsk Regional Court upheld the decision of the court of first instance regarding recovery of baggage loss, since, according to the courts, the claimant did not prepare an inventory and did not declare the value, finding a total of 180 303 Rubles in the lost suitcase is not proven that according to Article 22 of the Montreal Convention 1999 excludes the application to the carrier of the maximum liability in the amount of 1 000 special drawing rights. However, the decision of the court of first instance was changed in part of the penalty under paragraph 5 of Article 28 of the Legislative Act of the Russian Federation on the Protection of Consumer Rights, an additional 18 123 Rubles were charged from the air carrier. Since the air carrier transferred money only on April 5, 2018, i.e. 19 days after the deadline.

EVENTS: THE IATA LEGAL SYMPOSIUM 2019

On March 6-8, 2019 was held the world's premier annual aviation law event – the IATA Legal Symposium. The symposium has a reputation for insight, relevance and value among in-house counsel, private practitioners and government lawyers alike. The event is well known for its engaging subject matter, outstanding speakers, lively debate and, of course, some of the best networking opportunities you'll find anywhere in the industry.



In 2019, this flagship IATA conference will draw upon leading experts, from every corner of the world. The programme of the conference included the most discussed and exciting topics of the industry, such as: the future of aviation – drones and new model air transport services, data privacy and emerging technologies aimed at enhancing the passenger experience, economic sanctions update for the airline industry, the Future of Airline Competition and other equally relevant issues.

AEROHELP Institute of Air and Space Law was a Media Partner of the IATA Legal Symposium 2019.



Belarusian State Aviation Academy and AEROHELP Institute of Air and Space Law signed the Memorandum of Understanding.



Professor of Air Law, Space Law and European Law of the Bologna University, Doctor of Law Anna Masutti became an expert of the AEROHELP Institute.



On March 25-27, 2019 the AEROHELP Institute of Air and Space Law was held the course on international legal regulation of labor migration.

The course was taught by Sergey Kovalevskiy, an Expert of the AEROHELP Institute in aviation insurance, PhD.



On March 28-29, 2019 the AEROHELP Institute of Air and Space Law was held the course on legal protection of Intellectual property in civil aviation.

The course was taught by Vladimir Dmitriev, an expert in intellectual property law, attorney.

EVENTS: "SPACE: BUSINESS OR SCIENCE?" PANEL AT THE FESTIVAL OF THE ASSOCIATION OF GRADUATES OF ST. PETERSBURG UNIVERSITY "REUNION"

On May 18, 2019, a unique festival of science and culture of the Alumni Association of St. Petersburg State University – “Reunion” will take place at St. Petersburg State University.



For the first time, the global meeting of St. Petersburg State University graduates will be held in the format of the City Festival of Science and Culture – this will be a large-scale celebration of the 295th anniversary of the University!

Every year world-famous scientists, politicians, cultural and public figures take part in the festival. The festival program includes lectures, discussions, creative meetings, excursions, master classes, scientific experiments in various fields, as well as a cultural and entertainment program.

Within the framework of the festival, with the support of the AEROHELP Institute of Air and Space Law, the panel “Space: Business or Science?” will be organized. The speakers will be leading experts.



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