

MAYER | BROWN

Aviation in Asia



Mayer Brown has been a trusted advisor to the aviation industry for over 60 years. We use our in-depth industry knowledge and our Asian platform to support airports, airlines, aircraft lessors and financial institutions across a wide range of legal disciplines throughout Asia.

“They are able to easily understand what is at stake and stand out in terms of the quality of their drafting.”

– *Chambers Asia Pacific 2021*

“They are experienced, efficient and a safe pair of hands.”

– *Chambers Asia Pacific 2021*



Band 1 Aircraft Finance (China)
2010–2021



Tier 1 Asset Finance (Aviation Finance)
law firm in Hong Kong
2007–2013, 2015–2021



Aviation Firm of the Year
Hong Kong
2012–2013, 2015

Overview

Mayer Brown has over 60 years’ experience in the aviation industry, representing:

- Airlines
- Aircraft lessors
- Financial institutions and investors
- Airports
- Local aviation authorities
- Aviation fuel providers
- Catering companies
- Ground handling companies
- Maintenance, repair and overhaul companies

Although Mayer Brown’s aviation clients have a wide range of differing requirements, we have the skills and the experience necessary to service them all.

Who Are We?

Mayer Brown’s aviation team comprises a significant number of lawyers with broad experience in a wide range of legal disciplines relevant to the aviation industry across the Asia region. We are committed to excellent service delivery and our multilingual team establishes and maintains close working relationships with each of our clients. We take time to understand each client’s particular business objectives with a view to delivering legal services in the most efficient and cost effective manner possible.

What We Do For...

AIRLINES

Mayer Brown represents a number of airlines in all areas of the airline business. Some examples are set forth below.

Aircraft/Engine Acquisition and Disposal

Our Asian aircraft-sector clients have grown dramatically over the past two decades. We have assisted those clients to acquire new and used aircraft, and to dispose of aircraft which have become surplus to their requirements. Our

involvement includes the documentation and negotiation of:

- Sale and purchase agreements
- Operating lease agreements
- Wet-lease agreements and short term charter arrangements
- Cargo block space agreements
- Sale-and-leaseback transactions
- Passenger-to-freighter conversion contracts

Clients are aware that transactions involving used aircraft pose a higher degree of risk and require a higher level of skill from lawyers. Mayer Brown's aviation team has particular experience in transactions involving used aircraft (including helicopters and corporate jets) and engines, having frequently documented and negotiated the sale, purchase and/or lease of used aircraft. We also have hands-on experience in negotiating passenger-to-freighter conversion contracts.

"Mayer Brown's Hong Kong aviation practice has developed a deep knowledge of the business jet realm and various financing structures."

– *Legal 500 Asia Pacific 2021*

"Everyone in the firm is very knowledgeable, well experienced, approachable and dependable." and "Their ability to identify and close off issues of risk adds value in itself and saves us in the long term and in negotiations."

– *Chambers Asia Pacific 2020*

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Airline Finance

Consistently awarded top rankings in aircraft and asset finance by reputable and authoritative legal directories, Mayer Brown's Asset Finance Group is recognised as a leading asset finance team in Asia. Much of that experience has been gained advising airlines on a variety of different financing and treasury activities, including:

- Aircraft-finance transactions, including secured facilities, export-credit (ECA and US EXIMBANK) supported facilities and finance leases
- Unsecured loans and lines of credit
- Tax-driven financing transactions (domestic and cross-border products, including France, Germany, Hong Kong, Japan, New Zealand, UK and US based structures)
- Off-balance sheet financing transactions
- Currency, interest rate and fuel hedging activities
- Our depth and breadth means that we can provide commercially-astute lawyers with appropriate experience to service nearly any airline financing requirements.

Commercial Agreements

Airlines spend enormous sums of money acquiring goods and services from third parties. Mayer Brown assists airlines to negotiate and document:

- Supply agreements
- Power-by-the-hour agreements and engine fleet management programmes
- Heavy maintenance agreements
- Base/line maintenance agreements
- Engine pooling agreements
- Catering agreements
- Ramp-handling and fueling agreements
- GSA and related commercial agreements

AIRCRAFT/ENGINE LESSORS AND MROS

Aircraft/Engine Lessors

It was once thought that a lawyer with aircraft-finance experience was automatically equipped to represent clients in operating lease transactions. Now, both airlines and leasing companies require a lawyer documenting an operating lease or a sale-and-leaseback transaction to understand the technical aspects of operating an aircraft/engine in revenue service.

Mayer Brown is recognised by both airlines and leasing companies as having a sophisticated understanding of aircraft-related operational and technical issues. We regularly advise on:

- Aircraft operating leases
- Engine operating leases
- Aircraft wetleases and charters (including local regulatory requirements)
- Sale-and-leaseback transactions
- Related maintenance agreements

“They’re absolutely responsive, proactive, pragmatic and commercial, and they provide the full service. You need the expert advice but you also need the support for them to go off and deliver on time. They all go the extra mile and they’re absolute subject experts in what they do.”

– *Chambers Asia Pacific 2019*

“They have strong commercial sense, providing both legal and commercial guidance”

– *Chambers Asia Pacific 2019*

“proactive and responsive,” and “They can anticipate all parties’ needs and constraints and are well aware of our expectations and policies.”

– *Chambers Asia Pacific 2019*

MROs

Mayer Brown’s extensive knowledge of operational and technical matters has its foundation in our participation in a wide range of aviation-engineering-related transactions. Our experience includes negotiating and documenting:

- Passenger-to-freighter conversion contracts
- Base maintenance agreements
- Power-by-the-hour agreements/engine fleet management programmes
- Engine/spare part pooling agreements
- Spare part consignment agreements
- Delivery/return conditions for used aircraft

AIRCRAFT FINANCIERS AND INVESTORS

Mayer Brown advises financial institutions, finance lessors and aircraft investors in a wide variety of finance activities, including:

- Unsecured lending to airlines
- Aircraft and engine finance transactions, including secured facilities and export credit supported facilities (ECA and US EXIMBANK)



“very strong team” as “technically impeccable with a strong commercial sense and a can-do attitude.”

– *Chambers Asia Pacific 2018*

“the best firm out there for this sort of work,” according to a market commentator, who further explains: “If you need a piece of work doing, they’ll do it best.”

– *Chambers Asia Pacific 2018*

Mayer Brown’s ‘exceptional’ asset finance team benefits from ‘unrivalled industry and subject-matter knowledge’

– *The Legal 500 Asia Pacific 2018*

‘highly commercial’

– *The Legal 500 Asia Pacific 2018*

- Finance leases
- Cross-border financing of corporate jets
- Tax-driven financing transactions (domestic and cross-border products, including France, Germany, Hong Kong, Japan, New Zealand, UK, and US based structures)
- Off-balance sheet financing
- Loan purchase, defeasance and refinancing arrangements
- Aircraft repossession (co-operative lessee/ unco-operative lessee)
- Aircraft-related registration, deregistration and other regulatory matters
- Liability and insurance matters

Mayer Brown’s broad exposure to the aviation industry means we are able to offer comprehensive advice to financial institutions on aviation-related matters. This is particularly true with regard to the financing of used aircraft, where our sophisticated understanding of aircraft-related technical issues gives financial institutions greater peace of mind.



Talk to Us



Richard Stock
Partner
+852 2843 2368
richard.stock@mayerbrown.com



Hallam Chow
Partner and Head of Projects, China
+86 10 6599 9200
hallam.chow@mayerbrown.com



Stuart Miller
Consultant
+852 2843 4256
stuart.miller@mayerbrown.com



Evelyn Lok
Counsel
+852 2843 2300
evelyn.lok@mayerbrown.com

Mayer Brown is a distinctively global law firm, uniquely positioned to advise the world's leading companies and financial institutions on their most complex deals and disputes. With extensive reach across four continents, we are the only integrated law firm in the world with approximately 200 lawyers in each of the world's three largest financial centers—New York, London and Hong Kong—the backbone of the global economy. We have deep experience in high-stakes litigation and complex transactions across industry sectors, including our signature strength, the global financial services industry. Our diverse teams of lawyers are recognized by our clients as strategic partners with deep commercial instincts and a commitment to creatively anticipating their needs and delivering excellence in everything we do. Our “one-firm” culture—seamless and integrated across all practices and regions—ensures that our clients receive the best of our knowledge and experience.

Please visit [mayerbrown.com](https://www.mayerbrown.com) for comprehensive contact information for all Mayer Brown offices.

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