

MAYER | BROWN

# Aviation in Asia





Mayer Brown has been a trusted advisor to the aviation industry for over 80 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.



Band 1 Aircraft Finance (China)  
2010–2022



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



Aviation Firm of the Year  
2021

“They are very well informed about the market,” and “[are] highly responsive and reactive.”

“They have a very deep knowledge of the sector,” and “[present] technical expertise, service level and responsiveness.”

– *Chambers Asia Pacific 2022*

“Their performance is absolutely outstanding,” and “[they are] very well informed about the market.”

“[C]onsistently excellent quality of advice and documentation, with deep-rooted industry knowledge and comprehension of aviation trends.”

– *Chambers Greater China Region 2022*

## Overview

Mayer Brown has over 80 years’ experience in the aviation industry, representing:

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

"Very professional and dedicated team. Available days and nights whatever the time zone to deliver a transaction. Very detailed and comprehensive quotation. They know to stick to the initial cap. Documentation is above the standards."

"Mayer Brown's aviation leasing team is exceptional. They bring a deep knowledge of both the legal and business perspectives and have a wealth of experience. We could not have successfully completed our transactions without them."

– *Legal 500 Asia Pacific 2022*

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.

#### *Airline Finance*

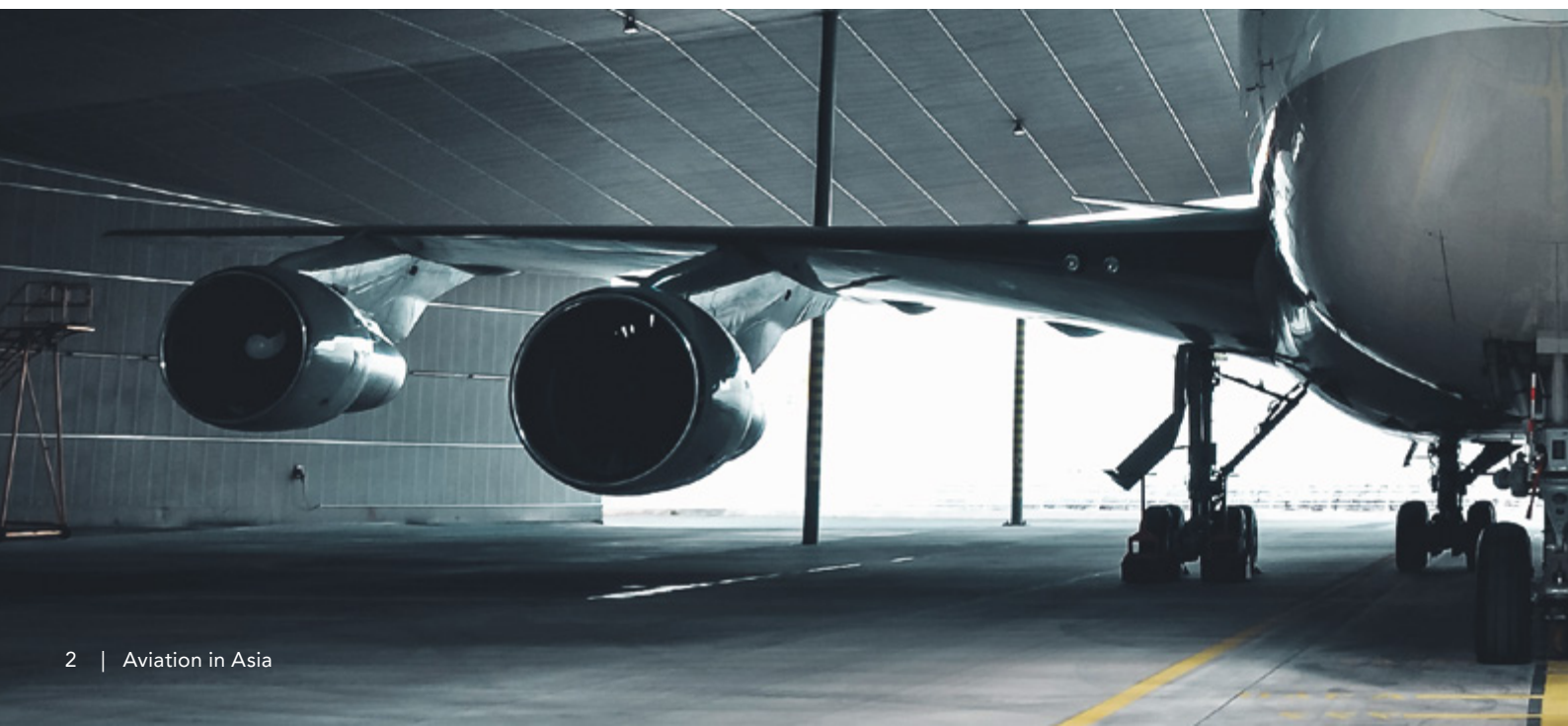
Consistently awarded top rankings in aircraft and asset finance by reputable and authoritative legal directories, Mayer Brown's Asset Finance Group is recognised as a leading asset finance team in Asia. Much of that experience has been gained advising airlines on a variety of different financing and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

### *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

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

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

– *Chambers Asia Pacific 2021*

"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*



## 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)
- 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.

"They stand out for their excellent knowledge of the aviation space and of key stakeholders, underpinned by long-standing industry experience, drafting quality and speed and reliability of execution."

"Everyone in the firm is very knowledgeable, well experienced, approachable and dependable." As well as "[t]heir 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*

## Talk to Us



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