HANDLING AGREEMENTS
SOME LEGAL CONSIDERATIONS

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AGENDA

1. Ground Handling
2. Performance and liability
3. Challenges and perspectives
GROUND HANDLING
DEFINITIONS

Ground Handling Services

Ground Handling Agreements
MAIN SERVICES

Technical
Externals
Operational
Explotation
Crew
Commercials
Third Parties
Administratives
LEGAL NATURE

Essencial Services

Airport and Aviation

Agreement Characters

Includes other contractual figures

Complemented with other agreements
GROUND HANDLING AGREEMENTS
AGREEMENTS WITH THE AIRLINES
MAIN AGREEMENT

Article 12 Authorization To Contract

ANNEX A

Section 1 Managing Functions
Section 3 Ramp Services
Section 5 Cargo and Mail Warehouse Services
AGREEMENT WITH THE AIRPORTS

The content will depend on...

Legal System
Type of Operator
Finance
Exclusivity
Integral or partial
AGREEMENT WITH THE AIRPORTS

There is no mandatory draft....

Object
Finantial Terms
Duration and Termination
Parties obligations
Inspections
Liability and Insurance
Controversy Resolutions
Miscellaneous
HANDLING AGREEMENTS AND INSURANCE

IATA SGHA 2013
Warsaw 1959 or Montreal 1999
HANDLING AGREEMENT AND INSURANCE

AIRPORTS

Common Law
PERFORMANCE AND LIABILITY
ABOUT LIABILITY

Some stats

90% of accidents occurs during towing, ramp movement and ground handling equipments.

Annual damages estimated in over US$2 billions.

Source: Alastair Gordon in Ground Handling of Aircraft (The Air Transport Research Institute)
ABOUT LIABILITY

¿When accidents happens?

Source: Alastair Gordon in Ground Handling of Aircraft (The Air Transport Research Institute)
LIABILITY AND AGREEMENT WITH THE AIRLINES

Art. 8 of IATA SGHA Liabilities and Indemnizations

Exclusionary Intent
Warsaw 1959 or Montreal 1999
Deductible
< $3,500
LIABILITY AND AGREEMENTS WITH AIRPORTS

- Damages to people and goods
- Performance breach
- Damages and Consequential Damages
- Insurance structure
LIABILITY FOR ENVIRONMENTAL ISSUES

- Vehicles
- Platform cleaning
- Lavatories
- Int’l Garbage
- Fuel
- Spill Kits
MINIMIZING THE RISKS

HHRR

Equipments

Procedures

Communication

Conditions
CHALLENGES
CHALLENGES

Exclusivity vs open markets
Self Handling vs tercerization
Economic changes
Tech changes in Airplanes
Tech changes in Airports
Legal Changes
ONE MORE THING...
GROUND HANDLING AGREEMENTS ARE INTEGRAL EXTENDED
GROUND HANDLING AGREEMENTS MUST

Be **FLEXIBLES** but **ESTRUCTURED**

Be **AMPLE** but **ESTRICTS**

Assure **AVIATION SAFETY**
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