



# **LEGAL SYMPOSIUM**

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**BANGKOK, THAILAND**

**FEBRUARY 27 – MARCH 1, 2018**

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Shangri-La Hotel, 89 Soi Wat Suan Plu, New Road, Bangrak, Bangkok, 10500, Thailand  
For registration, visit [www.iata.org/events/Pages/legal-symposium.aspx](http://www.iata.org/events/Pages/legal-symposium.aspx)

## DAY 1 Tuesday, 27 February 2018

09:00 – 10:30	REGISTRATION
10:30 – 12:00	<b>Legal Forum</b> (IATA Member airlines only)
12:30 – 14:00	<b>General Counsel's Luncheon</b>
14:00 – 17:30	<b>Legal Forum continues</b> (IATA Member airlines only)
18:00 – 20:00	<b>Welcome reception in the Shangri-La Garden</b>

## DAY 2 Wednesday, 28 February 2018

08:00 – 08:30	REGISTRATION
08:30 – 08:45	<b>Welcome addresses</b>
08:45 – 09:15	<b>Report of the Chief Economist</b>
9:15 – 10:45	<p><b>Plenary Session</b></p> <p><b>UPSETTING THE APPLE CART: ARE THERE WIDER CONSEQUENCES FOR AIRLINES AND THEIR AGENTS FROM AUSTRALIA'S FLIGHT CENTRE DECISION?</b></p> <p>When is an agent not an agent? With the Flight Centre case, Australia's highest court upset bedrock precepts of agency and competition law. Principal and agent are traditionally viewed as one before the law, such that they cannot compete with each other. Rebuffing this, and looking beyond contract, the majority muddied the waters for industry and its antitrust advisers, compelling airlines to ask "when is my agent my competitor as well?" Our panel will break down the decision, weigh the uncertainties, and evaluate its potential as precedent for other jurisdictions.</p> <p><b>Daniel Kanter, Assistant General Counsel, IATA</b> <b>Miranda Cole, Partner, Covington &amp; Burling LLP, Brussels &amp; London</b> <b>Philip Monaghan, Partner, O'Melveny &amp; Myers LLP, Hong Kong</b> <b>Justin Oliver, Partner, Minter Ellison, Brisbane</b> <b>Wendy Peter, General Counsel, Australian Competition and Consumer Commission</b></p>

10:45 – 11:15	<b>Refreshment Break</b>
11:15 – 12:30	<p><b>Breakout Panels</b></p> <p><b>CODESHARES: OLD DOG, NEW RISK?</b></p> <p>Since their birth fifty years ago in the US codeshare agreements have expanded greatly with the growth of airline alliances. Codeshares enable a low-level of cooperation between airlines that nevertheless require significant levels of coordination. This panel of experts will examine the different structures of codeshares and their competitive impact on the industry.</p> <p><b>Anita Mosner, <i>Partner</i>, Holland &amp; Knight LLP, <i>Washington</i></b>  <b>Martin Dajani, <i>Vice President Legal</i>, Americas, Etihad Airways</b>  <b>Frédéric Louis, <i>Partner</i>, WilmerHale, <i>Brussels</i></b>  <b>Juan Carlos Mencio, <i>General Counsel</i>, LATAM Airlines</b>  <b>Trevor Soames, <i>Partner</i>, Quinn Emanuel Urquhart &amp; Sullivan LLP, <i>Brussels</i></b></p> <p>or</p> <p><b>ALTERNATIVE DISPUTE RESOLUTION (ADR): OPTIONS IN ASIA PACIFIC</b></p> <p>What options are available for dispute resolution in Asia Pacific? What factors influence choice of law and venue for arbitration and mediation in the aviation sector? Are there regional differences in approach and procedure? What are the considerations for considering ADR in Asia Pacific? Our experts will examine these questions and more.</p> <p><b>Gary R. Doernhoefer, <i>General Counsel</i>, Journera</b>  <b>Chiann Bao, <i>Partner</i>, Skadden, Arps, Slate, Meagher &amp; Flom LLP, <i>Hong Kong</i></b>  <b>Michael Lee, <i>Vice President</i>, American Arbitration Association, <i>Singapore</i></b>  <b>Duncan Speller, <i>Partner</i>, WilmerHale, <i>London</i></b>  <b>Yan Zhenfeng, <i>Partner</i>, JunHe LLP, <i>Shanghai</i></b></p>
12:30 – 14:00	<b>LUNCH</b>
14:00 – 15:30	<p><b>Plenary Session</b></p> <p><b>LIABILITY UPDATE: WHAT'S NEXT?</b></p> <p>A search for common liability themes in recent decisions from five continents. We review rulings concerning exclusivity, consumer rights, Montreal Convention 1999, limitation periods and procedural limitations, and more.</p> <p><b>Richard Gimblett, <i>Partner</i>, Holman Fenwick Willan LLP, <i>Dubai</i></b>  <b>Guilherme Amaral, <i>Partner</i>, ASBZ Advogados, <i>Sao Paulo</i></b>  <b>Bartholomew Banino, <i>Partner</i>, Condon &amp; Forsyth LLP, <i>New York</i></b>  <b>Sarah Catchpole, <i>Partner</i>, Kennedys Law LLP, <i>Hong Kong</i></b>  <b>Mark Mackrell, <i>Partner</i>, Norton White, <i>Sydney</i></b>  <b>Ulrich Steppeler, <i>Partner</i>, Arnecke Sibeth, <i>Frankfurt</i></b></p>
15:30 – 16:00	<b>Refreshment Break</b>

<p>16:00 – 17:30</p>	<p><b>Plenary Session</b></p> <p><b>BANKRUPTCY &amp; RESTRUCTURING OVERVIEW: BACK TO THE FUTURE</b></p> <p>Another wave of airline restructuring cases has arrived, and more may be on the way. Join this panel of airline in-house counsel and bankruptcy law practitioners as they look back on previous restructuring efforts and discuss what went wrong, what went right, and most importantly, how these lessons can be applied now and in the future.</p> <p><b>Eloise Fardon, Senior Associate, Stephenson Harwood LLP, Hong Kong</b>  <b>Nik Azli, Executive Counsel, Malaysia Airlines</b>  <b>Michelle Johnson, General Counsel, Air Berlin</b>  <b>John Middleton, Assistant General Counsel, IATA</b>  <b>Jasmine Ball, Partner, Debevoise &amp; Plimpton LLP, New York</b></p>
<p>17:30 – 17:45</p>	<p><b>Award of the Constance O’Keefe Aviation Law Writing Award for 2018</b>  <i>Sponsored by Studio Pierallini, Rome &amp; Milan</i></p> <p>To Pietro Benintendi, LL.M. candidate at Leiden University, Netherlands</p>
<p>19:30 – 19:45 19:45 – 22:00</p>	<p><b>Legal Symposium Dinner Cruise on the Chao Phraya River</b></p> <p>Boarding at the Shangri-La Dock</p> <p>Dinner</p>

**DAY 3** Thursday, 1 March 2018

<p>09:00 – 10:30</p>	<p><b>Plenary Session</b></p> <p><b>THE GROWTH OF DATA PROTECTION REGULATIONS: FIRST, DO NO HARM</b></p> <p>Data protection regulations are sweeping the globe. For example, the EU General Data Protection Regulation is a sweeping overhaul of Europe's data protection legislation that introduces new obligations for any organization that handles data about EU citizens, whether that organization is located in the EU or not. The new data protection regulations are placing strict responsibilities on organizations to prove they are adequately managing and protecting personal data. What actions should airlines be taking to comply, particularly when national approaches may conflict?</p> <p><b>Leslie D. MacIntosh, Deputy General Counsel, IATA</b>  <b>Karen Clayton, General Counsel &amp; Corporate Secretary, Air New Zealand</b>  <b>Sze-Hui Goh, Partner, Eversheds Harry Elias, Singapore</b>  <b>Alan Meneghetti, Partner, Katten Muchin LLP, London</b>  <b>Neil Montgomery, Founding and Managing Partner, Montgomery &amp; Associados, São Paulo</b>  <b>Jeffrey Poston, Partner, Crowell &amp; Moring LLP, Washington, D.C.</b>  <b>Rachelle Henderson, Senior Counsel, Labour, Employment and Privacy, Air Canada</b></p>
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10:30 – 11:00	<b>Refreshment Break</b>
11:00 – 12:15	<p><b>Plenary Session</b></p> <p><b>HOT TOPICS FOR THE CARGO ROUNDTABLE: HANDLE WITH CARE</b></p> <p>This roundtable of seasoned cargo counsel will discuss the legal challenges associated with hot-button topics such as trends in delivery innovation; operational flexibility, including wet leases and seventh freedoms; transporting hazardous materials; and global harmonization of cargo security.</p> <p><b>Roy Goldberg, <i>Partner, Stinson Leonard Street LLP, Washington, D.C.</i></b>  <b>Juan Carlos Mencio, <i>General Counsel, LATAM Airlines</i></b>  <b>James T. Miller, <i>Vice President, Legal &amp; Public Affairs, United Parcel Service Co.</i></b>  <b>Sarah Prosser, <i>Managing Director – Regulatory Affairs, FedEx Express</i></b>  <b>Carlos Tornero, <i>Deputy General Counsel, IATA</i></b></p>
12:15 – 13:45	<b>Networking Lunch</b>
13:45 – 15:00	<p><b>Breakout Panels</b></p> <p><b>THE RISE OF PASSENGER RIGHTS AND ACCESS IN ASIA PACIFIC</b></p> <p>Given the growth of international airline service throughout Asia Pacific, what do airline counsel need to know regarding regional passenger rights and access laws? Taking into account past efforts in the US and in the EU at regulation, is a third model evolving in Asia Pacific? What should airlines serving Asia Pacific expect in the future? What can be expected to happen in Canada as a result of legislation providing for new air passenger protection regulations? Could Canada’s legislation serve as a new model for other jurisdictions? An expert panel will assess the outlook in this area, and the impact of US and EU regulations as models of regulation in the Asia Pacific region.</p> <p><b>Mark Atwood, <i>Partner, Cozen O’Connor, Washington, D.C.</i></b>  <b>Clara de Castro, <i>Vice President, Philippine Airlines</i></b>  <b>Adrien Ng, <i>Legal Counsel, Cathay Pacific Airways</i></b>  <b>Laura Pierallini, <i>Partner, Studio Pierallini, Rome</i></b>  <b>Scott Streiner, <i>Chair &amp; Chief Executive Officer, Canadian Transportation Agency</i></b></p> <p>or</p> <p><b>CHINA UPDATE: SCANNING THE SKIES</b></p> <p>China is home to the world’s second largest domestic market, which supports a booming international market with increases in long haul international services by both Chinese and foreign airlines. This panel will highlight and discuss a number of regulatory issues in China impacting domestic and foreign carriers, including market access, airport constraints, blacklisting, passenger services, and airport slots allocations.</p> <p><b>Xie Xingquan, <i>Assistant General Counsel, IATA</i></b>  <b>Guo Rengang, <i>Deputy General Director, CAAC Law &amp; Policy Department</i></b>  <b>Jin Zhe, <i>Partner, Grandall Law Firm, Beijing</i></b>  <b>Tao Zhen, <i>Director, China Eastern Airlines</i></b>  <b>Lei Ying, <i>Legal Counsel, Air China</i></b>  <b>Liu He, <i>Deputy Director, CAAC Law &amp; Policy Department</i></b></p>

15:00 – 15:30	<b>Refreshment Break</b>
15:30 – 17:00	<p><b>Plenary Session</b></p> <p><b>GENERAL COUNSEL ROUNDTABLE: CRISIS MANAGEMENT</b></p> <p>The Symposium will close with this popular roundtable discussion among a group of general counsel from IATA Member airlines. Focusing on crisis management, the panel will share their first-hand knowledge on dealing with unexpected events, and the lessons learned.</p> <p>Janice Sharry, <i>Partner</i>, Haynes and Boone, <i>Dallas</i>  Karen Clayton, <i>General Counsel &amp; Corporate Secretary</i>, Air New Zealand  Clara de Castro, <i>Vice President</i>, Philippine Airlines  James T. Miller, <i>Vice President, Legal &amp; Public Affairs</i>, United Parcel Service Co.  Barbara van Koppen, <i>SVP Corporate Center &amp; General Counsel</i>, KLM Royal Dutch Airlines  Henning zur Hausen, <i>General Counsel</i>, Etihad Airways</p>
17:00 – 17:30	<b>Closing Remarks</b>
<b>17:30</b>	<b>FAREWELL COCKTAIL</b>

## NOTES

Timings and content subject to amendment.

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[www.iata.org/events/pages/legal-symposium.aspx](http://www.iata.org/events/pages/legal-symposium.aspx)  
for further panel details, including confirmed speakers.