



Airports

The construction and operation of airports involve issues from the most diverse areas of law. This is often due to their very specialised business model and the strict regulatory environment in which they operate. Legal advisors must be familiar with the procedures that airports are subject to and must have a holistic overview, since even small mistakes in this area can lead to enormous costs.

Approximately half of all international commercial airports in Germany rely on the legal expertise of Kapellmann; some have done so for decades. Our many years of experience have earned us a deep understanding of the operational and economic procedures surrounding airports. We take a proactive approach to each amendment of the relevant regulations.

Through the broad professional make-up of our law firm and with close inter-disciplinary collaboration we are able to act as a one-stop provider, supporting airports on all important legal issues from a single source. We can advise on considerations of construction and real estate law, procurement law, EU subsidy law, competition law and public law. Our expertise in corporate and employment law as well as in compliance complete the advisory services that we offer.

„ One of the most recommended firms by in-house counsels for the aerospace industry “

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Our services include

- **Construction and real estate law:** project structuring and packaging in accordance with the German Sector Ordinance (Sektorenverordnung or SektVO), structured financing (leasing und contracting), construction site safety and construction employment law, project manager and planner agreements and agreements with operating companies, contract management and anti-claim management, lease and rental agreements, out-of-court conflict resolution and partnering
- **Procurement law:** preparation and implementation of procurements and concessions both above and below the EU threshold values, procurement in accordance with the German regulations on ground handling services at airports (BADV), representation in review proceedings
- **EU State aid law:** representation in principal investigation and notification procedures, State aid law advice, Airport Guidelines 2014, representation before the EU courts (ECJ and CFI)
- **Competition law:** advising on the drafting of agreements and partnerships to ensure compliance with competition law, advising on the avoidance of allegations of misconduct by undertakings with a dominant position in the market (remuneration structures, essential facilities)
- **Public law:** advice and process management in proceedings under the German regulations on ground handling services at airports (BADV) and remuneration procedures, advising on environmental law, in particular contaminated sites law, advice and representation in air traffic regulation issues and planning approval procedures
- **Compliance:** preparation of airport-specific e-compliance systems (including criminal law), including training and e-learning, advising on compliance violations
- **Data protection:** advising on the implementation of data protection guidelines with operative processes (in particular GAP analyses, data protection audits, data protection management systems) as well as within the framework of specific research and other projects (e.g. license plate recognition in carparks, biometric facial recognition and video data analysis)

Experience includes

- Frankfurt am Main Airport (Fraport): comprehensive construction law support for the newbuild of a terminal as well as advising the principal on the provision and operational management of a passenger transport system (PTS)
- Leading airline: advising on the implementation of an infrastructure project during full operation including the renewal of a logistics system

- Munich Airport: comprehensive advice on procurement and construction law in relation to the optimisation and extension of an existing terminal building as well as for the extension of a suburban railway tunnel in connection with the “Erding Circular Link” (“Erdinger Ringschluss”)
- Several German commercial airports: representation in state aid proceedings before the European Commission as well as drafting of documentation in compliance with EU law
- State aid providers: representation before the EU courts regarding operating aid for airports
- Major German airport: State aid law advice in an infrastructure project
- Düsseldorf Airport: designing a comprehensive airport-specific e-compliance system
- Several German commercial airports: advice on and representation in tenders for services in accordance with the German regulations on ground handling services at airports (BADV); drafting agreements
- Several German commercial airports: advising on the construction and design of fuel depots and other infrastructure facilities

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