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UNIVERSITY OF PETROLEUM AND ENERGY STUDIES

End Semester Examination, May 2018

Program: B.A., LL.B. (Hons.) ENERGY LAWS 2015

Subject (Course): Aviation Law

Course Code : LLBL 407

No. of page/s: 3

Semester – VI

Max. Marks : 100

Duration : 3 Hrs

Section A

Question 1: Write short notes on the following:

- a) Crashworthiness
- b) Code sharing
- c) ICAO
- d) Guatemala Protocol
- e) DGCA

[5*2=10 Marks]

Section B

Question 2: Explain the following:

- a) Guadalajara Convention
- b) Montreal Protocol, 1978

[2*5=10 Marks]

Question 3: Distinguish between the following:

- a). Scheduled and Non- Scheduled Air traffic
- b). Third and Fourth freedom of Air

[2*5=10 Marks]

Section C

Question 4: Discuss the relevant provisions of the Warsaw Convention in light of the following case laws:

- a). Lisi vs. Alitalia
- b). Chan vs. Korean Air Lines

[10 Marks]

Question 5: Discuss the concept of product liability in Aviation Law. Also explain the following case laws:

- a). Maynard vs. Stinson Aircraft
- b). Bruce v. Martin- Marietta and Ozak Airlines

[10 Marks]

Section D

Question 6: Discuss the concept of surface damage and collisions in light of the following:

- a). Rome Convention, 1952
- b). Montreal Protocol, 1978.

[2*10=20 Marks]

Question 7: Critically analyze the following theories with respect to the penal law in aviation law:

- a) Territorial theory
- b) National theory
- c) Mixed theory

[10 Marks]

Question 8: Critically analyze the following case laws:

- a). United States vs. Cardova and Santano
- b). Loewenstein case

[10 Marks]

Question 9: What is National Civil Aviation Policy, 2016. Analyze it in light of following factors:

- a). Regional Connectivity Scheme
- b). 5/20 requirement
- c). Open sky agreement

[10 Marks]



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Section A

Question 1: Write short notes on the following:

- a) Operating lease
- b) Defective design
- c) Cape Town Convention
- d) Aircraft Register
- e) Surface damage and collisions

[5*2=10 Marks]

Section B

Question 2: Explain the following:

- a) Powers of Aircraft Commander
- b) IATA

[2*5=10 Marks]

Question 3: Distinguish between the following:

- a). Warsaw Convention vs. Rome Convention
- b). Fifth and sixth freedom of Air

[2*5=10 Marks]

Section C

Question 4: Discuss the relevant provision(s) of the Warsaw Convention in light of the following case laws:

- a). De Marines vs. KLM Royal Dutch Airlines
- b). Air France vs. Saks

[10 Marks]

Question 5: Discuss the following:

- a). Tokyo Convention
- b). Chicago Convention

[10 Marks]

Section D

Question 6: What are the relevant competition law concerns with respect to the aviation industry? Discuss.

[20 Marks]

Question 7: Explain the following:

- a). Deregistration Power of Attorney
- b). Irrevocable Deregistration and Export Request Authorization

[20 Marks]

Question 8: Critically analyze the shift of principle from fault liability to risk liability in light of the Guatemala Protocol, 1971.

[10 Marks]