

ERA LEGAL NETWORK – REPORT FOR 2016

Objectives of the Legal Network

The Legal Network is a relatively new initiative for ERA. It was created with the objective of facilitating member's assistance with any legal issues where they may lack the necessary 'in house' expertise, or find some of the more complex legal concepts/laws confusing, particularly outside their own legal jurisdiction. The network has been designed to help members to gain access to lawyers in a variety of expertise and national legislation in different countries.

The network provides members with a mutual legal advice/information portal whereby they can discuss and share knowledge and experience on various legal issues/problems. This expertise can be pooled so that members are able to obtain advice away from their principal place of residence on the basis of advice and support from those likely to have experience of similar issues. In addition the network provides contact details of member's lawyers and/or local legal representatives that practice and specialise in a specific jurisdiction or discipline.

The network is currently open to all ERA airline and legal members, and the objective is to hold several telephone conference calls and/or physical meetings each year.

Meetings and work of the Network

A conference call of the group was held on 01 December 2016, which attracted several ERA Legal Company Members, but unfortunately no airline members were represented. Prior to the call the Directorate had identified the following topics which would form the agenda:

- Regulation (EU) 261
 - The steps that ERA members are taking, especially in the instances of 3rd party culpability,
- Brexit
 - What are ERA member's contingency plans after Article 50 has been evoked ?
- Employment Law Issues
 - An example was the situation involving Ryanair where they made members of their workforce that were based in France redundant. However, Ryanair faced problems as the workforce were protected by local French employment law which took precedence over Ryanair (Irish) employment law.
- Fraudulent Baggage Claims
 - There have been an increasing number of 'lost luggage' claims, which can result in a high liability claim limit that some airlines are forced to settle.

Due to the lack of airline representation, it was agreed during the call that an effective way of promoting the network, and generating other ERA member interest, would be for current ERA airline members to identify the law firms they work with in their own jurisdictions and invite them to become associates.

In addition, the legal firms that were on the call will each publish a few paragraphs on one of the topics that were discussed during the call, and this will then be made available to the wider ERA members as guidance.

