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Aviation & Maritime



We are delighted to present our experience in the aviation and maritime sectors.

We have drawn on the expertise of our Infrastructure and Project Finance Group to demonstrate our ability to provide both local, and (if required) international expertise in each of the markets in which we operate. We have more lawyers in Europe than any of our competitors, and a fast-growing, dynamic international presence.

As a market leading group in the aviation and maritime sectors, CMS's experience extends from the procurement phase, through public works programmes, private sector finance and ongoing operational advice to mergers and acquisitions. Our lawyers have been involved at the cutting edge of developments in the sector:

- in primary markets, our award winning team has considerable experience advising all parties: contracting authorities, sponsors, sub-contractors and lenders on both PPP projects and long term concession contracts;
- in secondary markets, CMS boasts an extremely strong track record, together with extensive experience of liaising with our colleagues across Europe on complex projects: both cross-border transactions and portfolio deals.

We remain optimistic about the future of the infrastructure industry, both across Europe and beyond. The scale of investment requirements is great, though of course the institutional, financial and legal framework within different jurisdictions has a significant bearing on each local market and investment climate.

Whatever the scale and wherever the location of your project, with 59 offices in 33 different jurisdictions, CMS is ideally placed to provide commercially relevant legal advice.

CMS was established in 1999 and today comprises 800 partners and over 3,000 lawyers. CMS is headquartered in Frankfurt, Germany.





Aviation

Austria

Flugfeld Langenlebarn

Representing Leyrer + Graf Baugesellschaft on airport construction financing.

MCE Building & Infrastructure

Advising MCE Building & Infrastructure on all legal aspects of its bid to install a fuelling system at Vienna's International Airport.

Bulgaria

Tishman Management International

Advising on procuring €56 million project financing from Raiffeisen Bank for the first phase of the development of the Sofia Airport Centre Project, including drafting and negotiating the facility agreement and the security package documents.

Czech Republic

Prague Airport

Advising on project financing for the Prague Airport project and major retail developments.

Hong Kong

The Hong Kong Port and Airport Development Scheme

Acting for the Hong Kong government in relation to the new airport at Chek Lap Kok, including the development of roads, tunnels, bridges and a mass transit railway. We advised on the structuring of the project, contract drafting, tendering procedures, project management and negotiation, as well as the interface between the government and the relevant private sector contracting entities.

Hungary

BNP Paribas

Advising BNP Paribas on the project financing for the acquisition and operation of Budapest Airport's handling services (the finance being valued at €41 million).

Budapest Airport

Advising Macquarie on its bid for Budapest Airport and carrying out full due diligence, including procurement, state aid and merger notification issues.

Poland

Szczecin

Advising on a project for the development of over 160 hectares of land, to be developed as an airport (terminal, hangars, tower control).

Portugal

ANA – Aeroportos de Portugal

Advising ANA – Aeroportos de Portugal on its bid through a public sector procurement process for supply and service contracts relating to Portuguese airport infrastructure.

Changi Airports International

Advising Changi Airports International in structuring and negotiating a joint venture to participate in the “Asterium” consortium, which was ultimately to bid for the construction of a new Lisbon airport.

Romania

Otopeni International Airport, Bucharest

Advising the arranging bank and preparing finance documentation in respect of a project for the development and modernisation of Otopeni International Airport.

Russia

A Major Russian airport

Advising on a PPP airport project in Siberia. This involved advising on the transaction structure and drafting the co-investment agreement for the financing of the runway and two cargo terminals.

Pulkovo Airport

Advising the Macquarie/Renaissance Capital consortium on their shortlisted bid for Pulkovo Airport PPP project, St. Petersburg (total project value is approximately US\$1 billion).

Slovakia

Bratislava airport

Advising Bratislava Airport on the public procurement of an approximately €80 million passenger terminal construction project. Our involvement included advice on public procurement issues and preparation of the project agreement. The new terminal increased the capacity of Bratislava airport to 5 million passengers per year.

Bratislava and Košice airports

Advising a consortium of companies (Airport Consulting Vienna GmbH, Flughafen Köln-Bonn GmbH, SNC

Lavalin International and Galaxy Fund) on the acquisition of Bratislava and Košice airports and in proceedings before the Slovak Antimonopoly Office.

United Kingdom

Primary

London Luton Airport

Advising on construction contracts for a construction management project using private sector finance.

National Air Traffic Services (NATS)

Advising the lead arrangers in relation to their underwriting of The Airline Group’s £1.45 billion acquisition of a controlling stake in the government’s regulated air traffic control business. We continued to advise the lead arrangers, and thereafter the lead managers and monoline guarantor, in relation to the subsequent restructuring, syndication and wrapped bond refinancing as a result of the events of 9/11.

Stansted Airport

Providing planning advice for the new airport development at Stansted.

Terminal 5, Heathrow

Advising BAA on Terminal 5 and associated airport infrastructure, including road and rail, from the initial planning application stage up to government consent. The project involved environmental assessments, land acquisition and infrastructure contracts. The planning inquiry was the largest and most complex of its kind in British planning history, with a value of £4.6 billion, and the firm was awarded the Legal Business Planning Team of the Year Award for its work on the project.

Secondary

Airport Bids

Advising airport managers in relation to their bids for the acquisition of interests in Bristol, East Midlands and Birmingham Airports.

Liverpool Speke Airport

Advising BAE on the disposal of Liverpool Airport.

Manchester Airport Group

Advising the minority shareholders on the restructuring of Manchester Airport Group, part of the process for the £1.5 billion acquisition of Stansted airport.

Newcastle International Airport

Advising AMP Capital on its acquisition of a 49% interest in NIAL Group Limited, the holding company for Newcastle International Airport.

Southampton Airport

Advising BAA on the acquisition of Southampton Airport.



Ports

Belgium

Antwerp, Zeebrugge and Ghent Port

Advising a container business on its participation in existing port concessions, and on the process to obtain new port concessions.

Brussels Port Procurement

Advising on procurement procedures in relation to building partnerships with internal ports, such as in Paris, Lille and Liège.

Brazil

OSX Construção Naval

Advising on the development of a large scale shipyard for the construction of oil platforms and offshore support vessels in the Açú Superport in Rio de Janeiro state, Brazil.

France

Calais and Boulogne

Advising a public service concession on the construction and operation of a new port in Calais and Boulogne, with a total project value of €900 million.

Germany

German Banking Consortium

Advising on several project financing transactions (secured by export guarantees) for the development of ports in European countries and port facilities in the USA.

India

Chennai Port

Advising Hutchison Ports in relation to its bid for this port project in India.

Ivory Coast

Abidjan Port Consortium (P&O Nedlloyd, TCI Corporation Ltd., Christiani & Nielsen, OT Africa Shipping Lines, Gibb, Standard Bank London Ltd)

Advising the consortium on the development of the Abidjan Port Gateway Project involving the port itself, telecoms and an export processing zone - which amounted to the largest port infrastructure development in the world.

Morocco

Port Tanger-Méditerranée

Advising a French global contractor on the construction of the €250 million Port Tanger-Méditerranée in Morocco.

Poland

Gdansk Port

Advising on the acquisition of Gdansk Port.

Portugal

Concession of the Mixed Use Terminal at the Port of Setúbal

Advising the financing bank including in negotiations regarding concession agreements for Zone 1 and Zone 2.

Port of Aveiro

Advising on the concession contracts for the "Terminals North", "Ro-Ro" and "Solid Bulk" at the Port of Aveiro.

GALP

Advising GALP on contractual arrangements regarding the concession at the Port of Leixões.

Romania

Constanta South Container Terminal

Advising one of the world's largest container port operators in negotiations with Constanta Port Authority (Compania Nationala Administratia Porturilor Maritime Constanta) for a multi-million US dollar concession contract for a redeveloped Black Sea container terminal, as well as assisting on negotiations with Romanian authorities and drafting construction and design agreements.

Spain

Hadar Fund Limited

Advising Hadar Fund Limited, as subordinated debt lender to Salamanca Nine Limited, a Cyprus investment vehicle formed by Salamanca Capital for the purpose of acquiring majority ownership of Marina Port Vell, S.A., the Spanish company with the concession to operate the Barcelona Marina for super yachts.

Ukraine

A major mining and metals company

Advising a major Ukrainian mining and metals company on environmental and construction issues related to the construction of a terminal at a Ukrainian sea port.

NCH Capital Inc.

Advising on potential acquisitions involving port assets located on the Black Sea.

Odessa port

Advising with regard to a 100 hectare land allocation process, in connection with a potential acquisition of a project company to develop a port in the Odessa region.

United Kingdom

Felixstowe South and Bathside Bay

Advising the Strategic Rail Authority on agreements with Hutchison Ports for Felixstowe South and Bathside Bay, in relation to the enhancement of freight lines associated with the port development.

Port of Tyne

Advising funders in relation to the construction and operation of a new £180 million biomass handling facility at the Port of Tyne, being developed jointly by Port of Tyne and its JV Partner Equitix. The facility will handle importation and onward transit of biomass fuel for large coal-fired power stations in the North East of England that are converting to biomass.

Thamesport

Advising on the development by way of expansion of an existing port at Thamesport, Medway and the granting of leases on the Thamesport site to customers of the port, for specialist operations.



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