

**Centre for Aerospace & Defence Laws (CADL)
DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

M.A. (AVIATION LAW & AIR TRANSPORT MANAGEMENT)

Advanced Diploma in Aviation Law & Air Transport Management

PG Diploma in Aviation Law & Air Transport Management

Academic Year: 2022-2023

First Semester - End Semester Examination (January, 2023)

Paper II - 1.1.2. International Air Law

Duration of the Examination: 2 ½ hours

Total Marks : 70 marks

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions carefully and adhere to the same.
 - b) Please mention your DDE ID No., date of the exam, name of the programme & subject on the Answer Sheet and the Additional Answer Sheets, if any.
 - c) The questions to be interpreted as given and no clarification can be sought from the Invigilator.
 - d) Clearly indicate the question numbers while answering them. Answers without question numbers / wrong question numbers will not be evaluated.
 - e) Write the answers clearly and neatly. Answers in illegible handwriting will not be taken into consideration.
 - f) Candidates are prohibited to carry phones or any other electronic devices, books, material etc. in the Examination Hall.
 - g) Copying is strictly prohibited and is considered as a serious academic misconduct and the University will take action as it deems fit.
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Section – A

Answer FIVE questions out of SEVEN questions and each question carries 10 marks. (5 x 10 marks = 50 marks)

1. Explain the Difference between Hard Law sources and Soft Law Sources; Primary Sources and Secondary Sources; and Formal Sources and Material Sources. Critically examine the various Sources of International Law in the Development of Modern International Law, with the help of Relevant Case Law.

2. *The premise of International Air Law is based on the fundamental notion of 'Cuius est solum, eius est usque ad caelum et ad inferos' i.e., "for whoever owns the soil, it is theirs up to Heaven and down to Hell." In the light of the given statement, critically examine the theories governing the extent of sovereignty and the incorporation of this principle in the Chicago Convention.*
3. Do you find any difference between Chicago Conference and Chicago Convention? Explain the important outcomes of the Chicago Conference while highlighting the Chicago Convention is a Source of International Air Law.
4. *It is generally viewed that "The Chicago Convention established principles, structures and procedures for the International Civil Aviation Organization (ICAO)". It is also viewed that "International Air Law is the bi-product of the International Civil Aviation Organization (ICAO)." Discuss*
5. *There has been an attempt to liberalize air transport services through the multilateral trading mechanism under the World Trade Organization (WTO) and General Agreement on Trade and Services (GATS). Do you support the taking away of ICAO powers by the WTO/GATS? Give your valid reasons.*
6. Do you think that *Globalization, Liberalization and Privatization of Aviation Industry* have led to various legal problems because of non-availability of proper laws in aviation sector in developing Countries like India? As an aviation Consultant/Lawyer give your suggestions in this context.
7. *The Convention on International Civil Aviation, signed in Chicago on 7 December 1944 (the Chicago Convention), came into force on 4 April 1947. The Convention established certain principles and arrangements so international civil aviation can develop in a safe and orderly manner, and that international air transport services be established on the basis of equality of opportunity and operated soundly and economically. Recommended practices dealing with a wide range of matters concerned with the safety, regularity and efficiency of air navigation. The current standards and recommended practices are published by ICAO as Annexes to the Chicago Convention.*

Based on the above information critically examine the role of various Annexes in the development of International Air Law.

Section – B

Answer FOUR questions out of SIX questions and each question carries 05 marks. (4 x 5 marks = 20 marks)

- A.** Civil Aviation Regulations
- B.** Two Freedoms and Five Freedoms Agreements
- C.** Liberal and Bi-lateral Aviation Agreements
- D.** Warsaw System on Aviation Liability
- E.** Sources of International Air Law
- F.** ICAO and Air Safety and Security Regulations