

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

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

Academic Year: 2022-2023

Third Semester - End Semester Examination (January, 2023)

Paper I – 2.3.7. Aviation Safety, Security and Liability Laws

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. Answer the following:
 - a) What is meant by 'Aviation Liability? Under what circumstances the airliner will not be held liable for passenger liability? Explain.
 - b) Explain Airliner's liability towards the air passengers in the context of Covid-19.

2. Mrs. Radha was flying from Hyderabad to New York along with other passengers. The flight was good and she enjoyed the air travelling. The flight went smoothly in all respects, but during landing Mrs. Radha felt severe pressure and pain in her right ear. After landing Mrs. Radha immediately consulted a doctor who concluded that she had become permanent deaf in her right ear. She filed a suit against the airline company for causing hearing loss by negligent maintenance and operation of the pressurization system. Evidence indicated that the pressurization system had functioned properly. Answer the following:
 - a) Explain the concept “accident” in view of Warsaw Convention and Montreal Convention.
 - b) Is the Airliner liable to Mrs. Radha? If liable why? If not liable why? Give your valid reasons.
3. What do you understand by the term ‘Aviation Safety’? Explain the difference in its concept from ‘Aviation Security’ with the help of reasonable illustrations. What are the challenges faced by various stakeholders in determining minimization of accidents and improvement of air safety.
4. *“The issue of sovereignty lies at the very heart of international aviation because all aviation relations are built upon it.”* Do you agree with this statement? Give reasons. In the light of the given statement, critically examine the way states open their airspace for the purpose of entering into commercial agreements and conducting air transport activities.
5. Write notes on the following:
 - (a) Liability for Surface Damage
 - (b) Aviation Product Liability
6. What do you understand by the phrase ‘Unlawful interference with an Aircraft’ and its relevance in the contemporary era? Critically examine the aviation security policies and measures taken at the international level to improve and effectively tackle the problems with regards to Aviation security.
7. *Flight is inherently a risky venture, carried out in a hostile environment at great speed.* In the light of the given statement critically examine the Standards and Recommended Practices (SARPs) and annexes of ICAO necessary for aviation safety, security, efficiency and environmental protection on a global basis developed by ICAO. Highlight the challenges faced in implementation of these annexes in the contemporary society.

Section – B

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

- A.** Safety Oversight Manual and Safety Management Systems
- B.** Terrorism and Counter Terrorism
- C.** Lockerbie Case
- D.** IC184 Incident
- E.** Documents of Carriage
- F.** Aviation Disputes